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## SCHEDULES


1) Settlement Area

2) Rural Area

3) a) Environmental Constraint Policy Area

   b) *Intentionally left blank*

   c) Major Inflowing Streams to Trout Lake

4) Planning Districts

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8) a) Storm Drainage Plan

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## APPENDICES


Appendix A – Section 2 of the Planning Act – Matters of Provincial Interest and Provincial Policy Statement, 2005[1]

Appendix B – Parks / Open Space & Trails / Active Transportation

Appendix B–1 to B–10 - Planning Districts and Open Space

Appendix C – Live, Work, Play

Appendix D - Policy Guide regarding Provincial Highways

# PART 1: BASIS OF THE OFFICIAL PLAN

## 1.1 Preamble

The primary goal of the Plan is to maintain and enhance the quality of life for the citizens of North Bay by providing a policy framework for Council to make good land use planning decisions. This Official Plan is North Bay's Community Land Use Plan.

The Plan incorporates Council's vision and principles developed through a participatory public participation process. The Plan integrates these so that an attractive, sustainable and healthy City will be realized over the life of the Plan and beyond.

The policy of this Plan relies heavily on extensive background studies prepared for the purposes of this Plan. These studies are:

- Sustainable Community Committee Report 2006
- City of North Bay Population, Housing and Employment Forecast Update, 2006-2031
- Infrastructure Background Study 2008
- Trails and Active Transportation Strategy 2008
- Parks Plan Update 2009
- Commercial Strategy Study 2009
- Nipissing District Housing Needs Supply and Affordability Study 2008

This Plan, and land use planning in general, is only one of the tools available to Council to provide an economically strong and attractive City in which to live, work and play. Infrastructure spending towards new employment lands, park & trail development, roads, recreational and cultural facilities will just as importantly add to the quality of life of the citizens of North Bay.

The Province of Ontario, through Section 3 of the Planning Act, issues the Provincial Policy Statement. All development applications will be reviewed for consistency with the Provincial Policy Statement, 2005 or any successor documents, as well as within the context of this Plan.[2]

The Province of Ontario also requires the City, in carrying out its responsibilities under the Planning Act, to have regard to provincial interests as listed in Section 2 of the Planning Act. A copy of this section of the Act and the Provincial Policy Statement, 2005[3a] is included in the Appendix A of this Plan. The Province has also developed resource documents such as land use compatibility, natural heritage, cultural heritage and natural hazards guidelines that[3b] will be used as a resource in the review of Planning Act applications.

This Official Plan was approved by North Bay City Council on September 8, 2009. In March 2011 the Province of Ontario released the Growth Plan for Northern Ontario, prior

to the approval of this Official Plan by the Minster of Municipal Affairs and Housing. The Growth Plan provides Provincial Policy specific to Northern Ontario that must be considered in making land use decisions.[4]

The City of North Bay has long supported policies for the appropriate development of Northern Ontario. The City of North Bay will amend this Official Plan if it is determined that modifications are required in order to conform with the Growth Plan.[4]

All other Provincial statutes that should be consulted regarding land use decisions by Council will be applied, where appropriate. A partial[5] list of the applicable legislation is shown in Appendix A.

## 1.2 Legislative Authority

The City of North Bay Official Plan is developed under the authority of Section 17 of the *Planning Act*.

This Plan, when approved by the Minister of Municipal Affairs and Housing, shall be known as THE OFFICIAL PLAN OF THE NORTH BAY PLANNING AREA. The Planning Area is composed of the whole of the City of North Bay, including the former Townships of West Ferris and Widdifield.

The following text and Schedules "1" to "11" inclusive constitute the Official Plan. Supporting data, on which the policies contained in the Plan is based, are attached as Appendices but do not form a part of this Official Plan.

This Plan applies to all applications, matters or proceedings commenced on or after the day that this plan comes into effect[6].

## 1.3 How the Official Plan is used by Council

Land use decisions resulting in new or redeveloped sites are made within the policy framework of the Official Plan. The Plan's goals and policy should balance the complex inter-relationships among environmental, economic and social factors in planning.

The Plan is intended to be read in its entirety and relevant policies are to be reviewed and applied prior to a decision being made. City staff review development applications and provide formal professional opinion in the form of written reports to Council for their consideration when they make their decisions. Staff also prepares planning reports for the Committee of Adjustment's consideration in their review of Minor Variance and Consent to Sever applications.

## 1.4 Vision and Guiding Principles

Council, with the assistance of the citizens of North Bay through the new Official Plan participatory planning process, developed the Vision statement and guiding principles for this Plan.

### 1.4.1 Vision

North Bay is a City where:

- individuals and families can enjoy a safe, healthy and secure quality of life;
- employment and education for all levels of qualification will be provided; and
- economic and community development that represents good planning and maintains or enhances the City's natural and cultural setting will be encouraged.

### 1.4.2 Guiding Principles

It is the overall intent of this Plan to plan land uses in a manner that builds on the City's natural attractiveness and setting, while ensuring that the City remains economically competitive to address the needs of its citizens now and in the future.

This Plan sets out the social, economic and environmental policy, as related to land use, needed to continue to sustain and improve the quality of life for all in the City of North Bay. This will be accomplished by balancing a commitment to economic competitiveness and environmental sustainability.

Community land use indicators will be developed and used to monitor the effectiveness of the policies in the Official Plan, on a five year cycle, commencing on the date that this plan comes into effect[7]. Every five (5) years, through the statutory review of the Official Plan, a "Community Land Use Indicators Monitoring" report will be prepared to measure how effective the Official Plan policy is working and recommend changes to the Plan as required.

In the preparation of this Plan, a wide and strong consensus was expressed by the citizens of North Bay to build on North Bay's quality of life strengths. To continually improve the quality of life in the City through good land use planning, the following guiding principles have been developed for this Plan:

- A strong, competitive diverse economy will be supported by the designation of suitable employment and commercial lands for quality sustainable employment;
- Suitable supply and range of housing types, complemented by efficient public transit, and active transportation, access to facilities and services for employment, education, health and social care, sports recreation, culture and parks;

- The City's natural amenities will be maintained and enhanced so that the community remains a sustainable community with a high standard for quality of life and healthy natural environment;

- New development should be undertaken primarily within the Settlement Area in a manner that enhances the community's reputation of having a healthy natural environment;

- Large scale land use decisions will be made by Council through an open public process providing opportunity for the general public to have input; and

- Monitor and review the achievement of objectives in the Official Plan and validate the strategic direction on a regular basis (5 year review).

Through the implementation of the Official Plan, it is the goal of Council and the community to grow and develop North Bay in a sustainable manner. The term "sustainability" in the City of North Bay land use context means that the community will continue to work towards maintaining and enhancing its attributes and improve conditions that lead to a better quality of life for future generations. The three elements of sustainable development being economic, social/cultural and environment will be considered in an integrated manner by Council in order to make good land use planning decisions.

Economic sustainability in North Bay is fundamentally based on maintaining a desirable and continuous rate of growth. Economic growth which enhances North Bay's "sustainable" image; which develops centers of excellence in technology and which enhances the quality of life of residents is most desired. Steady growth must be supported by prudent maintenance and expansion of infrastructure of both hard and soft services. A strong and vibrant City core is essential to community sustainability.

North Bay endorses the principles of "smart growth" by concentrating growth within the Settlement Area in a manner that new development has easy access to employment lands, commercial lands, residential lands, parks, trails and public transit. North Bay continue the practice of concentrating growth within the Settlement Area in a manner that allows new development to have easy and efficient access to employment, residential, commercial and park areas.

Socio-cultural sustainability means that historical attributes are identified, recognized and integrated into new built forms. Steady growth includes retention of youth, strengthening of post-secondary education opportunities, support for the elderly and the attraction of new immigrants. The disadvantaged are supported by a range of housing types and efficient and accessible transit. The vibrancy of the community depends on opportunities for cultural diversity, a strong and stable Downtown and the realization of a Downtown civic square adjacent and connected to the Waterfront to create a focal point for all community activity.

Environmental sustainability will be achieved by concentrating urban built form within the Settlement Area and through infilling, intensification, and reclamation of brownfields. Parks and Trails will be integrated and implemented in a manner that provides for natural environment corridors to traverse the City's Settlement Area.

The Rural Area of the municipality within the Corporation of the City of North Bay limits is a natural setting and comprises eighty percent (80%) of the City's land area. The Rural Area is beyond the area required for urban development and therefore the intent of this Plan will be to protect the rural nature of these lands, by directing new development to the Settlement Area, leaving the rural area largely undeveloped. Uses in the Rural Area will be those uses that are location dependent and do not require urban services.

Lands within the Settlement Area, on full municipal services, will be the focus of growth in the municipality. The majority of the Trout Lake Watershed is outside the designated Settlement Area to restrict urban development within the watershed. The settlement area has been designated with consideration given to anticipated growth over the term of this Plan, to support both new residential and employment areas. In all situations, growth and development will be encouraged to locate within existing built up areas that have existing or planned infrastructure.

The Downtown Waterfront as identified on Schedule 12A will be a focal point for the community and will be developed in a manner which celebrates the four seasons in North Bay and provides opportunities for economic development including a revitalized Main Street and recreational amenities as part of a sustainable, accessible urban structure. The specific policies for the Downtown Waterfront are set out in Section 4.2
of this Plan. *[Added by OPA #19]*

# PART 2: SETTLEMENT AREA

## 2.1 Settlement Area Policies

It is the objective of this Plan to concentrate new growth and redevelopment within the Settlement Area and to develop new land for residential, employment area, commercial, park & open space and institutional uses. The Settlement Area is sized to meet current and future land requirements for these uses requiring full municipal services.

2.1.1 Infill and intensification developments will be primarily encouraged in the Central Business District (CBD) and surrounding neighbourhoods, where appropriate, and where adequate municipal services, facilities, and transit routes exist. Infilling and intensification will also be promoted in other areas of the City where there is appropriate infrastructure and new development or redevelopment is compatible with surrounding land uses. The following initiatives have been initiated by the City towards infill and intensification: Downtown Community Improvement Plan, Brownfield Community Improvement Plan, Canadian Nation Railway and Canadian Pacific Railway decommissioning and the resulting infill residential projects.

The City will continue its practice through this Plan and the Comprehensive Zoning By-law to encourage secondary residential units in houses.

Through these initiatives, in addition to strict rural development policies, 90% of development within the City of North Bay is located within the City's Settlement Area. It is the general intent of this Plan to maintain this trend.

2.1.2 Residential developments surrounding commercial nodes shall have a higher density to support increased pedestrian activity and mixed use developments.

2.1.3 Where urban residential development is permitted on the shore of Trout Lake, development and redevelopment shall be completed in a manner which protects the quality and quantity of Trout Lake as a source of drinking water.

2.1.4 Home based businesses are permitted in all urban residential areas as described in 2.2.1.7.

2.1.5 The broad purpose of the neighbourhood is to provide for the day-to-day needs and lifestyle requirements of the residential environment, and to protect that environment from conflicting land uses and through traffic.

2.1.6 The Comprehensive Zoning By-law that implements this Official Plan shall provide for both low density and high density residential zones in the area designated on Schedule "1" for Residential Areas.

2.1.7 Residential uses within the Restricted Residential designation as shown on Schedule 1, shall meet the requirements of 4.11.

2.1.8 Housing needs, including the special needs of the older adults, physically challenged, low-income individuals and families, and students will be accommodated by encouraging a wide variety and adequate supply of housing.

2.1.9 The natural vegetation on vacant lands to be developed within the City should remain vegetated until a formal approval for development has been achieved from the City.

2.1.10 To ensure that the development of new residential lands are designed in a manner to avoid public health and safety concerns and to minimize the risk to public health and safety, the Ministry of Environment's D-Series Guidelines for Land Use Compatibility will be used as a resource for the review of new residential development.[8] (subsequent sections are renumbered up to Section 2.2)

2.1.11 <u>Housing Policies</u>

It is the general intent of this Plan to encourage the development and maintenance of an efficient and pleasant environment for all lifestyles. In providing for these demands, the objective is an appropriate mixture of densities and an arrangement that will minimize conflicts between different forms of housing.

2.1.11.1 It is intended that a balanced program providing for the conservation, rehabilitation and redevelopment of the existing housing stock shall be carried out as appropriate, so that dwellings in the community may not fall below an acceptable minimum standard of maintenance and occupancy.

2.1.11.2 The following general policies are intended to assist the City in its determination of housing requirements for the various special needs groups in the City:

a) To encourage the existence of an adequate supply and diversity of residential accommodation by type and tenure to satisfy the social and economic requirements to the population;

b) To increase the life span of existing housing stock by encouraging maintenance and repair, and to ensure that all housing units meet the minimum standards of safety and health related regulations;

c) To encourage the provision of special housing for the older adults, physically challenged, low income, and group homes within the residential environment of the community.

2.1.11.3 In the development of new residential neighbourhoods, and as far as possible in the infilling of those already established, or in redevelopment in older neighbourhoods, high standards of residential amenity will be encouraged through the use of the following design principles:

a) Separate pedestrian walkways or trails will be encouraged, where feasible, and designed to facilitate access to elementary schools;

b) Varieties of residential types will not be mixed indiscriminately, but will be arranged in a gradation so that higher density developments will complement those of a lower density, with sufficient spacing between tall apartments and lower row houses and single detached houses to maintain privacy, amenity and value;

c) Sufficient land is to be assembled for residential developments to eliminate isolated parcels that would be difficult to develop or redevelop at a later date;

d) Prior to any zoning changes to permit residential development it shall be established that schools, parks and all other services are adequate according to the standards in this Plan, and that access points to multiple family accommodations are adequate and safe; and

e) Where older adult developments and/or retirement communities are located or planned within residential neighbourhoods, Council shall have regard for considerations such as location, housing types, community services and staging of construction.

2.1.11.4 Social Housing, Affordable Housing, Special Needs Housing

The demands of specialized housing groups, such as older adults, low income, physically challenged and group homes are expected to grow. The City will encourage the development of a variety of housing types and densities throughout the City, especially in the Residential Conversion Area, where appropriate.

For the purposes of this Plan, special needs housing shall include financially assisted housing, retirement residences, nursing homes, homes for the aged, seniors' housing, lodging and rooming houses, group homes of all types, and residential care facilities.

It is recognized that there are certain segments of the City's population that require special housing needs. The elderly, those with mental or physical disabilities and those requiring specialized support services, require housing that is flexible, integrated and supportive.

This Plan recognizes that social housing developments are and will continue to be funded and administered by the federal and provincial governments. The District Nipissing Social Services Administration Board (DNSSAB) will act as a transfer agency for the maintenance of existing social housing and for new social housing programs and projects.

On a project by project basis, the City will facilitate within its responsibilities and powers, housing developments or programs funded by the federal, provincial governments in conjunction with the District Nipissing Social Services Administration Board, where resources allow.

Council may consider a community improvement plan towards housing by making full use of federal and provincial funding assistance programs to offset lost municipal revenue as a result of the waiving of building permit fees, development charges and other municipal fees associated with new housing developments.

The City will work with DNSSAB to achieve housing targets as determined by the Nipissing District Housing Needs, Supply and Affordable Study 2008, and as updated from time to time, and as resources permit.

Group Homes are utilized by the Province of Ontario for the purposes of housing those with special needs. The private sector also may establish Group Homes to serve those with special needs. Group Homes are zoned in the Comprehensive Zoning By-law depending on their planned function. Separate Group Home definitions have been developed to recognize these planned functions.

Group Homes funded by the Province of Ontario for those with special needs should be located within neighbourhoods in a manner so that the character of the neighbourhood is maintained. Houses used by special needs persons not requiring supervision by a government authority are not Group Homes for the purposes of this Plan.

2.1.11.4.1 The City may use its powers provided by the Planning Act and the Provincial Policy Statement to promote and participate in the various Federal and Provincial Financial Assistance and Housing Development Programs

2.1.11.4.2 Continuum-of-care living arrangements address special housing needs and provide a range of social, health, and support services. In order to allow individuals requiring varying levels of care and assistance to continue residency in familiar neighbourhoods, and remain integrated in their communities, a range of housing that combines service and care components with housing needs shall be encouraged.

2.1.11.4.3 Council recognizes the need for boarding, lodging and rooming houses and supports the provision of these types of dwellings. The Comprehensive Zoning By-law shall specifically define and regulate these uses.

2.1.11.4.4 Rooming houses should be located in, and adjacent to areas where there is a full range of services and facilities available.

2.1.11.4.5 A residential care facility is a residential use, which provides accommodation for a group of people who by reason of their emotional, mental, social, or physical condition, or legal status, require a group living arrangement for their well-being.

2.1.11.4.6 The adequate provision of residential care facilities will be supported wherever residential uses are permitted. Where a residential care facility is located within a residential designation, the facility shall be of a size and character which is similar to, or compatible with the existing area.

2.1.11.4.7 The Comprehensive Zoning By-law will specifically define the various types of residential care facilities and, in order to prevent an inappropriate concentration of residential care facilities, provisions requiring a minimum separation distance between facilities will be incorporated in the Comprehensive Zoning By-law.

2.1.11.5 Senior Housing Developments

Proposals for senior citizen developments should be encouraged in locations that are in close physical pedestrian distance to transit, retail, health, social, institutional and recreational facilities. Encouragement should be given to projects which share such facilities or include mixed uses.

2.1.11.5.1 In the development of new senior citizen projects, the City, through its Comprehensive Zoning By-law, may require for social facilities in such developments for recreation, entertainment and common areas which are required for family apartment developments.

2.1.11.5.2 With respect to on-site parking requirements for senior citizen developments, the City, through its Comprehensive Zoning By-law, may provide for reduced standards for on-site parking for all such developments.

2.1.11.5.3 For senior citizen developments, urban design improvements and accessibility features may be required as appropriate on-site features of development. These improvements may include:

a) transit shelters;

b) connected/converted buildings;

c) urban corners;

d) therapeutic parks, sheltered recreational areas; and

e) pedestrian walkways and linkages with appropriate ramps and barrier-free design features.

2.1.12 Urban Residential Area Densities

Urban Residential Areas will be made up of low, medium and high density residential developments. The Comprehensive Zoning By-law will zone various areas within the City for low, medium and high density residential development.

2.1.12.1 Low and medium density residential developments permit single detached dwellings, semi-detached dwellings, duplexes, triplexes, townhouses, low profile apartments (up to four units), rooming houses, mobile homes and group homes.

2.1.12.2 High and medium density developments should include common facilities, such as parks or open space.

2.1.12.3 High density developments will be encouraged to locate in suitable areas including:

a) the Central Business District and its immediate vicinity, or

b) in close proximity to major shopping areas, community facilities, open space and recreational facilities, or

c) in peripheral locations around residential neighbourhoods with access to major collector or arterial roads, or

d) when designed as an integral part of a new Plan of Subdivision.

2.1.12.4 Apartment buildings shall be sited so that they:

a) enhance the visual image of the City;

b) create focal points that emphasize important locations in the City;

c) do not unduly overshadow or interfere with visual amenities of lower density residential areas by reason of their bulk; and

d) relate compatibly with existing buildings and with the character of the immediate area, and do not constitute an intrusion into an established area of lesser density.

2.1.12.5 It is the intent of the Plan in the area bounded by Lake Nipissing, Lakeshore Drive, Jessups Creek and the westerly projection of Mulligan Avenue which is designated for "Residential" uses and shown on Schedule 1, to permit the construction of apartment buildings to a maximum height of nine (9) storeys by amendment to the Comprehensive Zoning By-law, provided that all the requirements of this Plan are met. Any proposed Zoning By-law Amendment to increase the height above nine (9) storeys will be evaluated on the merits negotiated by way of height and/or density incentives, as provided for in 5.1.4.

2.1.12.6 Apartment buildings may be defined as a class which imposes a heavy load upon the sewage disposal, storm drainage and water supply facilities, and sewer rates or waterworks rates may be imposed pursuant to the Municipal Act upon the developers of such buildings to help defray the costs of additional capacity where there is a need for these services.

2.1.12.7 In the development of new apartment buildings, the City may require that a minimum amount of the land, or an equivalent amount of cash, be dedicated for park or open space purposes.

2.1.12.8 In considering applications for higher density residential uses, it shall be clearly demonstrated to the satisfaction of the City that no undue pressure will result on:

a) arterial or collector roads;

b) parks, open space and recreational facilities;

c) schools; and

d) sewers and water mains.

2.1.12.9 Apartments shall not be approved where major traffic flows will result on local streets serving low density residential development.

2.1.12.10 Apartment buildings shall be separated from adjacent dwellings by a distance sufficient to maintain adequate privacy, amenity and the value of surrounding property.

2.1.12.11 The City shall ensure that existing and future low density residential uses shall be protected from future high density residential development through the use of adequate setbacks and buffering.

2.1.12.12 There shall be no development of high density residential units except by site plan control, as provided for in the *Planning Act*.

2.1.13 Condominium Conversion Policy

2.1.13.1 The conversion of existing rental units to condominium may be permitted, provided that the rental vacancy rate for the City has been at or above 3% for two successive surveys, as reported by Canada Mortgage and Housing Corporation in the bi-annual rental vacancy survey.

2.1.13.2 A conversion may be permitted, where the rental vacancy rate is below 3%, where one or more of the following conditions are satisfied:

a) The developer has a signed agreement with 50% or more of the existing tenants to purchase their unit as provided for in the Condominium Act 1998, as amended;

b) all of the resulting condominium units provide affordable ownership as defined by the Provincial Policy Statement 2005 or any successor policy documents;

c) the existing market rents of the units proposed for conversion are above the average market rent levels for the City of North Bay, as reported yearly by the CMHC Rental Housing Market Survey for rental units of a similar dwelling/structure and bedroom type; or

d) It can be demonstrated that the resulting conversion will have no net reduction on the availability of affordable housing, as defined by the Provincial Policy Statement 2005 or any successor policy documents.

2.1.13.3 When an application has been made for condominium approval, all requirements of the Condominium Act 1998, as amended, shall be adhered to with regard to notification of tenants, rights to purchase by tenants, and the necessary certifications as described by Architects, Engineers and Ontario Land Surveyors.

2.1.13.4 Where no parkland dedication was made at the time the building was constructed, a park dedication should be made in accordance with Section 51.1 of the Planning Act, R.S.O. 1990, as amended.

2.1.13.5 For the purposes of this Section, condominium conversions may be exempted from the public notification requirements of the Planning Act as permitted by Section 9 of the Condominium Act 1998, as amended, and receive a Certificate of Exemption where the site of the conversion has already undergone a full planning process by way of a Planning Act approval. Certificate of Exemption will only be issued by the City when all conditions of Council's approval of the Certificate of Exemption have been satisfied.

2.1.13.6 Additional Dwelling Unit Policies

Additional Dwelling Units (ADU) can help to achieve intensification targets and increase the availability of affordable housing choices for residents. ADUs may also assist with aging in place concepts.

ADUs are ancillary and subordinate to the primary dwelling unit. ADUs are permitted within the Settlement Boundary of the City to a maximum of two additional ADUs and the primary dwelling. Within the Rural area of the City, ADUs are permitted but a maximum of one. The City has policies to implement infill and intensification within the Settlement Boundary, and the Rural Area has limited potential for additional residential uses.

ADUs are permitted within the Settlement Boundary to be contained within the main building and/or within an accessory building located on the same lot, provided it meets the following criteria:

a) A second and/or third residential unit in a detached, semi-detached, townhouse, provided that no accessory structure on the property contains a additional residential dwelling unit; or

b) An additional residential dwelling unit in a detached, semi-detached, townhouse, if there is only one residential unit within an accessory structure on the property; or

c) An accessory building is permitted to have an additional residential dwelling unit, provided that no other accessory building on the property has an additional residential dwelling unit and there a maximum of two additional residential dwelling units within the primary residential unit;

d) A maximum of three residential units would be permitted within the settlement area of the City and a maximum of two residential units is permitted within the rural area of the City;

e) Mobile homes are not considered an additional residential dwelling unit;

f) Adequate servicing must be available to service the additional residential dwelling unit through either the municipal system within the urban area, or through, privately owned systems within the rural area where municipal services are not available;

g) additional residential dwelling units are not permitted within hazard lands or adjacent to hazard lands;

h) additional residential dwelling units are not permitted in any Industrial or Commercial zoned property;

i) additional residential dwelling units shall not be permitted within 300 metres of the unserviced shoreline and major inflowing streams of Trout Lake;

j) Additional residential dwelling units will not cause alterations to the main building's exterior that would change the existing character of the neighbourhood or streetscape. This may include but is not limited to the creation of new entrances and adequate parking;

k) additional residential dwelling units must satisfy all applicable requirements of the Ontario Building Code, Ontario Fire Code, the Zoning By-law and the Property Standards By-law, and any other Federal, Provincial or Municipal law or legislation;

l) Existing illegal additional residential dwelling units must comply with all of the applicable requirements of the Official Plan and Zoning By-law and obtain the necessary building permits to be considered an legal additional residential dwelling unit; and

m) Additional regulations for additional residential dwelling units will be established in the Zoning By-law.

2.1.13.7 Residential Intensification Area

The areas bounded by the North Bay By-Pass, Stockdale Road, Airport Road, O'Brien Street, ONR Railway, Oak Street and Algonquin Avenue will be referred to as the "Residential Intensification Area" and are shown on Schedule 11 to this plan. *[Added by OPA #20]*

2.1.14 Mobile Home Parks

2.1.14.1 Mobile Homes or house trailers will only be permitted within the Settlement Area provided they form part of a properly planned mobile home park. Mobile home parks may be located and developed within areas designated

"Residential" pursuant to the policies contained in Part 2 of the Plan and zoned appropriately in the City's Comprehensive Zoning By-law.

2.1.14.2 Mobile homes or house trailers shall only be permitted by amendment to the Comprehensive Zoning By-law and provided the following requirements are met:

a) Commercial uses such as stores, coin-operated laundries, barber shops, etc. shall not occupy more than 10% of the total area of any mobile home park, and shall be subordinate to the residential use and character of the park. Such commercial facilities shall be located, designed and intended to serve the frequent trade or service needs of the people living in the park, and shall present no visible evidence of their commercial character from any part of a residential area outside the park.

b) Mobile home parks shall be landscaped according to good design principles to compliment the residential nature of the park.

c) No less than 5% of the total site area of any mobile home park shall be used exclusively for recreational purposes.

d) Every mobile home park shall have, along the zoned property limits, a buffer area of at least 7.6 metres in depth in which no lots, buildings, or structures shall be permitted.

e) Mobile home parks shall be designed on the basis of a plan of subdivision, and shall be subject to Site Plan Control pursuant to the *Planning Act*.

2.1.15 Trout Lake Urban Area

Trout Lake is the City's drinking water supply. The intake to the City's water treatment plant is located near the urbanized shore of Trout Lake.

It is the intent of this Plan to restrict uses that would pose a risk to the City's water supply. Risk will be evaluated within the context of the Source Protection Plan for the North Bay-Mattawa Source Protection Area and the policies contained in Section 4.12 of this Plan. *[Added by OPA 12]*

2.1.15.1 Urban residential development with frontage on Trout Lake will only be permitted within the "Residential" designation, as identified on Schedule 1 to this Plan. The following uses will be permitted within the "Residential" designation:

a) single detached dwellings;

b) parks, open space and recreational facilities; and

c) accessory uses to the above.

2.1.15.2 It is Council's intention to preserve and protect, from construction or development of buildings or structures, the lands within 30 metres of the shoreline of Trout Lake or any stream flowing into Trout Lake, within the urban area.

2.1.15.3 All lands abutting Trout Lake within the "Residential" designation will be designated as a Site Plan Control area. When an application is received for the development or redevelopment of a lot, including those residential proposals with less than 25 dwelling units located within the Site Plan Control Area, the application shall be accompanied by:

a) A site plan which shows the location of all existing and proposed buildings, structures and accessory buildings with indication of accurate dimensions and setback distances from lot lines and all abutting lakes and streams;

b) A cross section plan which shows proposed final grade elevations form the water's edge to the back lot line, including all areas to be excavated and/or filled, as well as the location of all erosion control features; and

c) A storm water management and landscaping plan which shows where existing vegetation will be disturbed and/or removed, including selective cutting and shoreline alterations; all areas to be vegetated, including a description of the vegetation to be planted, the location

of all site erosion control features, and an indication of final site drainage with details of specific storm water management strategies.

## 2.2 Employment Lands

The City of North Bay is located on the original transportation route across Canada, known as the Nipissing Passage Way. This route has been used for centuries by First Nation peoples and the Hudson's Bay Company for trading. With the construction of the Canadian Pacific Railway and Highways 11 and 17, North Bay maintained its importance as a gateway for commerce. Further, the development of the Jack Garland Airport with a 10,000 foot runway and its role in NORAD modernized North Bay's continued role as a destination for business.

North Bay's economic history and economic strategies have created a strong and diversified economic base. It is the intent of this Plan to ensure that there are adequately designated lands for continued industrial and commercial growth. Designated lands in the Plan should be suitable for commercial development, small and medium sized industry, service industry in all economic sectors, educational and research centre opportunities, technological research and advancements and improved government services and community facilities for all economic sectors.

North Bay should continue to promote the City as an aviation centre for Ontario by designating the City's airport land holdings as an Airport Business Park.

The City should ensure that there are adequately designated lands for the growth of the Education Centre to enable it to reach its full potential.

This Plan should ensure that there are adequately designated lands for the administrative offices of the Government of Canada and the Province of Ontario, and all other government funded agencies.

The Gateway and Seymour industrial parks and other existing industrial lands within the City will be maintained by way of appropriate Official Plan policy and zoning in the City's Comprehensive Zoning By-law to ensure they remain viable .

Downtown North Bay will continue to be the major focus for future high density commercial retail/office development and mixed use. The adjacent Waterfront will provide amenity to the Downtown as well as providing a role for tourism and recreation. The City will work to create additional connections between the Downtown and the Waterfront with the objective of creating seamless connectivity to improve accessibility and augment the vitality of both areas as set out in Section 4.2, Downtown Waterfront, of this Plan. *[Added by OPA #19]*

All business retention and expansion opportunities and new economic development opportunities will be developed in harmony with the environmental, social and economic environments of the City.

It is the intent of this Plan to enable continued sustainable economic development in all sectors so that the City remains diversified and competitive in a global economy, while maintaining and improving the City's attractiveness and lifestyle satisfaction.

### 2.2.1 Employment Lands – Commercial

It is the intent of this Plan to have a well-balanced commercial hierarchy to serve the shopping needs of the City as a whole and the region. For the purpose of this Plan, the City undertook the Commercial Strategy Study 2009, and it is the intent of this Plan to implement its recommendations.

#### 2.2.1.1 Central Business District

The Central Business District is comprised of a Downtown area consisting primarily of retail and service uses and adjacent lands which represent a mix of retail, service and residential uses. It is anticipated that, in the fullness of time, existing low density residential uses on lands adjacent to the Downtown area, within the Central Business District, will be redeveloped to a density of development either residential that is more compatible with and supports the Downtown uses.

This Plan recognizes that in order to maintain and enhance the economic viability and function of the Downtown area, it is essential to preserve a compact core and restrict strip or linear commercial development.

The City has maintained its commitment to the revitalization of the Downtown over the past three decades. A variety of businesses in the core of the Downtown, with the support of the City, formed the Downtown Improvement Area (DIA) in 1978. The DIA was created to market, promote and provide for improvements to the Downtown area. In an attempt to address concerns over the City Centre's deterioration, a variety of studies and revitalization and investment efforts were completed.

Throughout the 1980s two phases of Downtown revitalization occurred with an investment made by the City, Province and the DIA. These projects included the replacement of sidewalk and road surfaces with interlocking paving stones; the introduction of landscaped areas; a new water main and sanitary and storm sewers; the installation of underground duct systems and manholes to remove all above-ground hydro facilities; improvements to the municipal parking garage and several parking lots; pedestrian access improvements, and the creation of the Fraser Street parkette.

Adjacent to the CBD is the waterfront. Since 1984, the City has invested in a program to develop the Waterfront with the ultimate goal to connect the CBD to the waterfront. The initial funding was contributed by the City, the Province and the Federal Government. This included reclaiming the land from Lake Nipissing, the creation of several parking areas, construction of Memorial Drive, landscaping, the creation of a pedestrian walkway from Downtown to the Waterfront, the construction of the municipal marina, the construction of a band shell, purchase and cleanup of the former CP Rail Lands, the CP Rail Station restoration to house the North Bay Museum - @DiscoveryNorthBay, and new City public transportation transit terminal.

In 2017, the City, building on its long standing commitment to strengthen the connection between the Downtown and the Waterfront, completed the Downtown Waterfront Master Plan. The Downtown Waterfront Master Plan provides a detailed strategy for the revitalization of the Downtown Waterfront, including reinforcing the long standing objective to ensure seamless connectivity between the two areas. The policies of this section and the policies of Section 4.2 Downtown Waterfront and the Downtown Waterfront Master Plan should be reviewed together in considering development in the Downtown and the Waterfront to maximize the potential for revitalization of the Downtown Waterfront. *[Added by OPA #19]*

The Downtown Community Improvement Plan provided financial incentives to the DIA. The Plan has successfully incented development in and around the Downtown.

Even with these substantial investments, the Downtown requires continued assistance to encourage development and redevelopment of existing underutilized sites and buildings. In the short term, Council will continue to focus on projects such as the Brownfield Community Improvement Plan and work over the long term to implement the Downtown Waterfront Master Plan *[Added by OPA #19]* vision, and invest in continued infrastructure improvements and access to the Downtown. These projects may include the development of a Civic Square, purchase, development and management of properties for parking; the widening of Cassells Street; improved Downtown signage; and the improvement to the aesthetics of major road networks to the Downtown.

An expansion to the Central Business District is discouraged. However, there is no limit to retail floor space within the Central Business District.

It is a town planning principle to have a compact Downtown core. The compact form and function of the Downtown assists in the continued development, redevelopment and intensification of this area. Downtown will continue to be the main focus for specialized commercial and multi-residential development.

<u>Central Business District Objectives</u>

2.2.1.1.1 To strengthen North Bay's Central Business District in terms of vibrancy, diversity and economic viability as the primary specialty commercial, entertainment, mixed use location, as a primary general commercial centre of North Bay, and to provide a desirable place to reside.

2.2.1.1.2 To enhance the Central Business District's image and role as the primary focus and largest accumulation of government and administration, finance and banking, culture, recreation, and entertainment space within the City. To maintain and enhance strong economic links between the Central Business District and tourism development in the region. In particular, to recognize the contribution of the Waterfront to the Central Business District's role as the primary centre of the City, and the potential for the revitalization of the Downtown Waterfront by working to implement the

Downtown Waterfront Master Plan including working toward seamless connectivity between the Downtown and the Waterfront as set out in Section 4.2, Downtown Waterfront, of this Plan. *[Added by OPA #19]*

2.2.1.1.3 To maintain a vibrant, economically viable retail and service base within the Central Business District that will provide support for other components of the overall land use mix. This retail and service base will balance the provision of specialized or unique retail goods and services, with family-oriented retail and service uses that provide for the daily and weekly shopping needs of residents in and around the Central Business District.

2.2.1.1.4 To encourage, wherever possible, new offices to locate within, and existing office users to remain within, the Central Business District.

2.2.1.1.5 To encourage, wherever possible, an increase in the amount of residential units within and around the Central Business District through new development or as a result of the rehabilitation of upper storeys of existing buildings. It is recognized that the establishment of market support for uses through residential development is very important to the long-term sustainable health of the Central Business District.

2.2.1.1.6 To support the Central Business District's planned function as the centre for community and government uses. Municipal administrative functions should remain and retain their prominence in the Central Business District. Provincial and Federal government offices will be encouraged to remain in the Central Business District or, wherever possible, to re-locate into the Central Business District.

2.2.1.1.7 To encourage the development of an arts, culture and entertainment district within the existing Central Business District which is anchored by the established arts, culture and entertainment infrastructure, most notably the Capitol Centre.

2.2.1.1.8 To preserve the Central Business District's architectural and built form heritage, and encourage the promotion of a traditional or historical image through design of the public realm including streetscaping and urban pattern, and through private sector investment in areas such as storefront and signage design, building architecture, scale and massing of built form.

2.2.1.1.9 To facilitate attractive, efficient and safe vehicular, pedestrian, cyclist, and public transit movement to and through the Central Business District and adjacent waterfront.

2.2.1.1.10 To provide adequate, visible, appropriately placed, and well-designed parking and public transit in close proximity to major Central Business District uses.

2.2.1.1.11 To consider all opportunities through municipal initiatives or public/private sector partnerships, to facilitate private sector reinvestment within and around the Central Business District.

2.2.1.1.12 To facilitate private sector investment towards the development and redevelopment of brownfield sites within the Central Business District, Council may adopt a Community Improvement Plan to encourage new residential, commercial and office projects.

2.2.1.1.13 To encourage, wherever possible, an increase in the amount of food store type merchandise and new retail. This is to be achieved by way of intensification, infilling and the development of new retail areas adjacent to the Downtown as defined by the DIA boundary.

Central Business District Planned Function

The Central Business District of North Bay includes the existing Central Business District, as well as adjacent lands subject to future development in coordination with Central Business District uses.

North Bay's Central Business District has historically acted as the focal point for finance, administration, services, culture and entertainment within the City. The importance of a strong, vibrant and economically viable Central Business District to the health of North Bay is recognized and it is a key objective of this Official Plan that the health and economic viability of the Central Business District be maintained and enhanced in the context of all new land use decisions within the City.

2.2.1.1.14 The planned function for the Central Business District is to act as the City's primary area for government, finance, arts, culture and entertainment. For the purposes of this policy, primary is meant to include not only the largest accumulation of associated square footage, but also the maintenance of the continued image that the Central Business District acts as the most important centre of such activities within North Bay.

2.2.1.1.15 With regard to retail and service uses, the planned function is for the Central Business District to be the largest and most significant centre of specialized retail opportunities, and experience/recreation-based shopping and services. These specialized or unique retail and service uses, however, are to be balanced with a strong and economically viable retail base that is locally oriented in providing for the weekly and daily needs of residents within the Central Business District and the surrounding neighbourhoods. The retail planned function, therefore, is one of balance between providing for specialized shopping needs and local/daily neighbourhood shopping needs.

2.2.1.1.16 The planned function for the Central Business District includes an active arts, culture and entertainment district which will be focused on the established nucleus of uses associated with the arts, culture and entertainment community in the Downtown, most notably the Capitol Centre. The arts, culture and entertainment district will encourage a variety of uses that will enhance the quality of life for citizens and visitors alike and contribute to the overall vitality of the Central Business District. Primary ground floor venues will be promoted with ancillary retail and service commercial components. The conversion of existing vacant or under-utilized space above the principal arts, culture and entertainment use will be encouraged for purposes associated with the main uses. Such ancillary uses could include, but not be limited to, artists and curators residences, public and private studios and galleries, and instructional facilities.

2.2.1.1.17 The planned function for the Central Business District also includes a strong residential component. It is the intent of the Plan to encourage residential development and redevelopment within the Central Business District, through new development or as a result of the rehabilitation of upper storeys of existing buildings. A healthy Central Business District residential component benefits the overall vitality of the Central Business District by providing ongoing support for local retailers, service providers and the cultural and entertainment sector. A strong residential component also contributes to maintaining the Central Business District as a vibrant and safe place throughout the day and evening.

2.2.1.1.18 Through a number of community initiatives, the importance of establishing demand generators in the Central Business District has been determined. These are uses that either significantly draw people to the Central Business District or represent/provide market support for other Central Business District uses. Examples include cultural and entertainment attractions, hotels/convention centres, tourism and recreation attractions and major residential or office developments. An important aspect of the planned function is to attract appropriate and beneficial demand generators to further strengthen the health of the Central Business District. Where such uses are proposed within North Bay, all efforts will be made to locate such uses in or around the Central Business District. In particular, demand generators relating to the tourism sector will be focused on the Central Business District, recognizing its significant role in North Bay tourism development.

2.2.1.1.19 New open air lifestyle retail development characterized by small retail stores, representing national and international retail chains, should be located in the Central Business District. This form of development would not compete with existing retail stores but would provide a retail demand generator which would support existing retail by drawing customers to the Downtown that would typically not be attracted to the Downtown. This form of development should be low profile in nature.

Permitted Uses

2.2.1.1.20 The Central Business District is expected to be a mixed use area with mutually supportive retail, service, residential, office, cultural, entertainment, institutional and administrative functions. Demand generators of an appropriate scale and location are encouraged. The Comprehensive Zoning By-law will include all of the following permitted uses:

a) accommodation and hospitality services;

b) civic spaces, parks and open spaces;

c) community and public uses;

d) entertainment, recreational, civic and cultural uses;

e) government and institutional uses;

f) licensed child care centres;

g) local retail and service uses that provide for the daily and weekly needs of residents within and around the Central Business District;

h) professional, business, technological and administrative offices;

i) public and private parking areas;

j) residential uses; and

k) retail, service and wholesale uses, particularly these retail and service uses that are specialized, experienced based or higher order.

Central Business District Residential Uses

2.2.1.1.21 This Plan encourages the consideration of additional residential development/redevelopment opportunities within and around the Central Business District. Additional housing represents market support for Central Business District retail and service uses: convenient housing relative to Central Business District office and other employment opportunities, and

increased pedestrian traffic, vitality and safety within the Central Business District during both daylight and evening hours.

2.2.1.1.22 When evaluating proposals for new residential development/redevelopment, the following policies will be considered:

a) Opportunities for the conversion of existing vacant or under-utilized buildings to residential units will be encouraged through policy and appropriate programs.

b) New residential development should be compatible with the existing image of North Bay's Downtown, while at the same time maximizing density potential as prescribed in the Comprehensive Zoning By-law. Where new residential development is proposed within the Central Business District, ground floor uses such as retailing and services will be encouraged. For new residential development in neighbourhoods surrounding the commercial core, ground floor retailing and service uses need not be provided.

c) Where new residential buildings propose heights in excess of those buildings around them, architectural solutions will be implemented to de-emphasize the height and massing relative to adjacent buildings.

d) Where new residential development or residential redevelopment that would generate a net increase in the number of dwelling units is proposed, innovative solutions for residential parking in the City Centre should be considered. Solutions to be considered should include, but not necessarily be limited to, shared situations and at above and below grade remedies both on the subject property and on other properties in the immediate area.

e) In order to encourage residential growth in the Downtown area the City may consider incentives such as exempting new residential units, developed by way of internal conversion of space in rehabilitated buildings, from off-street parking requirements.

f) In order to serve existing residents and to further encourage residential intensification within the Central Business District, the City shall encourage the establishment of all businesses that support residential development, such as grocery stores, banks, drug stores and restaurants within the Downtown area.

<u>Central Business District Design Policies</u>

<u>Downtown</u>

2.2.1.1.23 It is anticipated that the redevelopment initiatives of the City to strengthen the Downtown will result in renewed development pressure in the Downtown. There is a likelihood that dense new built form will result in building heights being more than double existing building heights. Intensification and density within the Central Business District is encouraged throughout this Plan for the ongoing vitality of the Downtown core. At the same time, it is the intent of this Plan to ensure that views of the Lake and waterfront are conserved for the enjoyment of the citizenry of North Bay.

Height restrictions will be implemented through the City's Comprehensive Zoning By-law. Amendments to the Comprehensive Zoning By-law shall conform with the minimum and maximum heights established on Schedule 12C, Downtown Waterfront Districts and Permitted Heights, to this Plan. *[Added by OPA #19]*

Where a property owner has consolidated more than 30 metres of frontage along Oak Street, Main Street or McIntyre Street the massing of buildings shall be oriented to abut the intersection.

During the processing of Zoning By-law Amendments for the nature described above, the bonusing provisions as described in the Planning Act and this Plan will be utilized.

Air rights associated with new development in the Downtown shall be negotiated between private owners of land and registered on title where required prior to a Zoning By-law Amendment being passed, and where a Zoning By-law Amendment is not required a building permit issued.

Central Business District

2.2.1.1.24 These policies relate to new development, redevelopment, infilling, conversions or architectural restorations within North Bay's Central Business District. Development proposals for intensification should be directed primarily towards the Downtown. Intensification development proposals that are within the Central Business District, but will support the Downtown, should also be encouraged.

The built form and urban design is an important aspect of the Central Business District's image, and its ability to represent a unique shopping and civic experience within the City. The following policies are intended to enhance the physical appearance of the Central Business District and the Downtown through high quality urban and built form design:

Built Form

2.2.1.1.25 Ground floors of multi-level buildings within the Central Business District will be used for retail or service uses wherever possible.

2.2.1.1.26 Built form, massing, scale, height and setbacks of new buildings or expansions will be compatible with the traditional physical character of the Central Business District. Wherever possible, uniform setbacks will be maintained.

2.2.1.1.27 Within the Central Business District one storey buildings are discouraged. Building designs that allow for separate access to second and third storeys along the street are strongly encouraged.

2.2.1.1.28 Attractive private sector facades and signage that enhance the physical appearance and traditional/historic character of the Central Business District will be encouraged. Use of traditional features such as awnings, front lit sign boards and other similar treatments are encouraged.

2.2.1.1.29 Heritage buildings, features or facades are encouraged to be preserved and appropriately addressed in new development proposals.

2.2.1.1.30 Where larger uses are proposed, building entrances are to be located and designed to enhance the ground floor public realm. Windows and other architectural features will be used to address the negative visual effects of large blank walls. Opportunities for design forms such as liner shops within large users will be considered.

Urban Design

Wherever possible the traditional urban street pattern will be maintained in development within the Central Business District.

2.2.1.1.31 The physical appearance of public streets and streetscaping will be maintained and enhanced where appropriate. The physical design and maintenance of civic and open spaces within and around the Central Business District will convey a positive visual image for the Central Business District. In streetscaping, street signs, lighting, planting and street furniture should be coordinated to improve the visual attractiveness of the Central Business District. The City shall utilize the *Downtown Waterfront Urban Design Guidelines* as a basis for evaluating development proposals and streetscape plans for both public and private projects in the Downtown Waterfront as set out in Section 4.2, Downtown Waterfront, of this Plan. The Guidelines are intended to ensure that development visually unifies the Downtown and Waterfront, to encourage design excellence, and to foster a common understanding of the Downtown Waterfront vision. The Guidelines address all season design, wayfinding, environmental sustainability, street

design, parking, public building and site design, private building and site design, signage and public art. [Added by OPA #19]

2.2.1.1.32 In all streetscape and design considerations, issues of public safety and efficiency of year-round maintenance will be important.

2.2.1.1.33 Urban design consideration will be used to establish a high level of comfort and convenience for pedestrians and the provision of a human scaled Central Business District.

2.2.1.1.34 Wherever possible, streets and civic spaces will be designed to provide a sense of special identity and a positive local sense of place that is unique and readily identifiable to the Central Business District. Generic design or design unreflective of local character and history will be avoided.

2.2.1.1.35 Opportunities to provide convenience, attractive and easily identifiable entry points or features at all main entrances to the Central Business District will be encouraged. Opportunities to provide directional indicators on municipally owned land and/or infrastructure directing traffic to the Central Business District will be encouraged.

2.2.1.1.36 The maintenance of existing mid-block linkages from Main Street to rear parking areas, the waterfront and parallel streets will be encouraged and new linkages, both public and private, will be encouraged wherever possible. All opportunities to enhance pedestrian and cyclist links and connectivity within the Central Business District will be encouraged.

2.2.1.1.37 Opportunities to provide or maintain attractive views and vistas to significant architectural features, Lake Nipissing, landmarks or public art will be considered.

2.2.1.1.38 Wherever possible, public buildings will be grouped into complexes and arranged in a manner that achieves a high standard of civic design.

2.2.1.1.39 Opportunities should be considered to decrease the speed of traffic within the Central Business District. Major truck traffic should be diverted around the Central Business District if possible, however, it is recognized that general traffic through the Central Business District is positive for the economic vitality of Central Business District business.

Central Business District Parking Policies

An important factor in enhancing the viability of the Central Business District for various uses is the provision of adequate, visible and well-designed parking facilities in close proximity to major demand generating uses. It is the policy of the City to encourage the

provision of new parking spaces related to any new private development or redevelopment project.

2.2.1.1.40 Wherever possible, all new parking spaces in the Central Business District will be provided in off-street facilities whether in public or private ownership;

2.2.1.1.41 In the case of new private development or redevelopment, such off-street facilities can be either provided on the site of the proposed development, on sites either owned by or under a long-term lease by the developer, or may be deemed to be provided by a cash-in-lieu payment. The rate of payment will be determined by the Council from time to time or by the use of a combination of the foregoing;

2.2.1.1.42 Regulations in the Comprehensive Zoning By-law will require sufficient parking as is deemed appropriate to accommodate the specific use;

2.2.1.1.43 Both municipally and privately owned off-street parking facilities will be constructed to a high design standard, will promote direct pedestrian linkages to adjacent arterial streets, and will enhance the visual appearance of the surrounding site. Where off-street parking is adjacent to sidewalk areas, appropriate landscaping or urban design features will be used to buffer the pedestrian realm from the parking realm;

2.2.1.1.44 The location of on-street parking will be regulated in a manner that promotes the effective and safe flow of traffic on City streets. Short-term, high frequency use parking spaces shall be encouraged in on-street parking sites closest to the main commercial blocks. Parking of longer duration shall be encouraged in on-street parking areas in the periphery of the Central Business District;

2.2.1.1.45 Consider options for short-term, high frequency use parking that will encourage customers to frequent the Central Business District;

2.2.1.1.46 Off-street parking areas will include highly visible signage, designed in a manner that reflects the intended image of the Central Business District;

2.2.1.1.47 The City will prepare and regularly update a comprehensive plan for the provision of parking in the Central Business District which will:

a) reflect changing patterns in parking demand and supply

b) establish a property acquisition and development program designed to accommodate projected demands; and

c) establish a plan to develop additional spaces on existing properties.

Community Improvement Plan

2.2.1.1.48 Land adjacent to the Central Business District[10] are permitted to benefit from a Community Improvement Plan. The Community Improvement Plan should demonstrate how the Central Business District[10] will benefit through the development and redevelopment of the adjacent lands.

2.2.1.2 Regional Commercial Uses

The Regional Commercial land use designation, as shown on Schedule 1, is intended to encourage multi-purpose shopping trips by providing for a wide range of commercial uses which meets comparison shopping needs.

The Regional Commercial shopping centre, by reason of its size, location, and range of uses, is regarded as a major activity centre, serving both community and regional needs with trade areas extending beyond the Municipal boundary.

The Regional Commercial centre generally includes a minimum of two anchor tenants and has developed on a large site where a variety of complementary uses can be accommodated according to a comprehensive site plan.

2.2.1.2.1 The Regional Commercial centre will be required to demonstrate high development standards to ensure that it has negligible impacts on adjacent land uses and the existing transportation infrastructure.

2.2.1.2.2 The Regional Commercial centre has a strong locational requirement to establish on major arterial roads or Provincial highways and, preferably, at the intersection of two such roads or highways.

2.2.1.2.3 The Regional Commercial centre shall be located such that it has sufficient and convenient transportation, including public transit service.

Permitted Uses

2.2.1.2.4 The Regional Commercial centre shall be developed primarily for retail and service uses, and to a lesser extent, office uses that are suited to a location within a multi-use form of development. The following range of permitted uses are considered to be appropriate in the Regional Commercial centre:

a) retail outlets

b) supermarkets and food stores

c) pharmacies

d) convenience commercial uses

e) personal services

f) restaurants

g) theatres and other entertainment or recreational facilities

h) financial institutions and services

i) a limited range of automotive services

j) service-oriented office uses such as real estate

k) insurance and travel agencies

l) community facilities such as libraries or day-care centres

m) professional and medical/dental offices.

Form

2.2.1.2.5 The Regional Commercial centre shall be developed so as to promote the integration of uses, encourage multi-purpose shopping trips, minimize the interface between commercial and residential development, and reduce the disruption to traffic flow on adjacent streets.

2.2.1.2.6 The Regional Commercial centre is defined for the purposes of this Plan as a group of commercial establishments generally anchored by two or more major retailers designed to function as a unit with common parking, access, and landscaping features. The Regional Commercial centre shall take the form of an enclosed mall. Free-standing structures may be developed on the site provided that they do not detract from the appearance and accessibility of the Regional Commercial centre or interfere with traffic circulation.

Scale of Development

2.2.1.2.7 The Regional Commercial centre shall be developed at a scale which is compatible with adjacent land uses such that the adjacent land uses are not negatively impacted by the massing and height of the Regional Commercial centre. Appropriate regulations to provide for this compatibility shall be contained in the Comprehensive Zoning By-law. The Comprehensive Zoning By-law may also contain restrictions on the size of individual office uses in keeping with the intent that the Regional Commercial centre is to develop primarily for retail and service uses and that larger office uses should be developed in the Downtown.

Location Criteria

2.2.1.2.8 The Regional Commercial is located near the geographic centre of the City's Settlement Area, with frontage along the North Bay By-pass, the future North Bay Expressway and access from two City arterials being Fisher Street and Trout Lake Road.

Evaluation Criteria

2.2.1.2.9 Council will evaluate an expansion to the Regional Commercial centre according to the following criteria:

a) support of the public for the proposed development;

b) the adequacy of physical services to accommodate the increased demands;

c) the adequacy of the transportation system to accommodate any increased traffic flows and the orientation of access and egress points supported by appropriate traffic studies;

d) the impact on environmental quality and/or constraints as may be identified by appropriate authorities' approval;

e) the provision of adequate off-street parking;

f) capability to provide adequate buffering and other measures to minimize any identified impacts;

g) the results of relevant support studies including, but not limited to market studies, traffic studies, storm water studies, planning justification studies;

h) compatibility with the surrounding areas in terms of scale, massing, height, siting, orientation, setbacks, parking and amenity areas; and

i) demonstrate that there will be no significant impacts on planned function of other commercial areas by way of findings from a market impact study for the proposed development.

Design Guidelines

2.2.1.2.10 Council shall consider the following guidelines when evaluating the design of a proposed expansion to the Regional Commercial centre:

a) the profile of the development results in a gradual transition from lower profile buildings to higher profile buildings and vice versa on site, and as it relates to buildings adjacent to the Regional Commercial site;

b) vehicle access and egress is oriented in such a manner that non-local traffic will not use local streets in the vicinity of the Regional Commercial use;

c) the development design accommodates pedestrian movement within the site, into and out of the site, and between the site and existing or future public pedestrian and cycling systems serving the immediate area in a manner that is easily distinguishable from the access provided to vehicles, and which is safe, convenient and aesthetically pleasing;

d) the development design is such that it encourages and facilitates interaction between the Regional Commercial site and the adjacent area and enhances the function of the centre as a community focal point. This role may be enhanced through the inclusion of a mix of uses, which may include community facilities such as a satellite library and day-care uses

e) the development design facilitates access and drop off sites for public transportation services;

f) the development design avoids the creation of extensive hard surfaces for parking, particularly along street frontages, but rather provides a street presence and continuity. Pedestrian linkages to adjacent lands and neighbourhoods shall be required;

g) outdoor storage areas are fenced or screened from adjacent uses and the street;

h) the visual appearance of all parking lots, loading facilities and service areas will be enhanced by the provision of landscaping plans to the satisfaction of the City;

i) loading facilities and service areas are located to avoid conflict between pedestrian circulation and service vehicles, and to minimize the effect of noise and fumes on adjacent residential properties and are situated in an area that is not adjacent to a residential property; and

j) Council shall require the Regional Commercial development to be subject to Site Plan Control.

2.2.1.3 District Commercial Uses

District Commercial areas within the City are located as shown on Schedule 1. The original planned function of lands designated District Commercial was to serve the shopping needs of each Planning District.

The original Official Plan for the City of North Bay planned for District Commercial areas in each Planning District. Over the lifetime of that Plan, District Commercial areas developed only at locations where they can serve the whole City. The existing District Commercial areas have demonstrated their ability to serve more than one Planning District in a convenient manner.

It has been recently demonstrated, by way of the Commercial Strategy Study 2009, that District Commercial Areas now serve a broader role in the City's Commercial Hierarchy and provide retail shopping opportunities to the entire community and also the region, with the exception of the Trout Lake Road District Commercial and Lakeshore Drive District Commercial facilities.

The planned function of District Commercial areas is to continue to supply local retail requirements for the City, including the opportunity for the development of large format retail which will serve local residents as well as the region.

The above referenced commercial study states that there is an opportunity for North Bay to increase the level of retail service and improve its market position as a regional service centre. In order to accommodate the existing and forecasted future retail/commercial demand, additional retail service and commercial space is warranted by 2031.

It is the intent of this Plan that a majority of this space will be directed to district commercial areas. Lands designated Regional Commercial have very limited opportunities for expansion. These lands are restricted by existing highways, the proposed North Bay Expressway and Ontario Northland Railway.

Therefore, for the City to expand its regional draw as a shopping destination, it is anticipated that this Plan will be amended to provide for new district commercial lands.

The District Commercial designation is intended to apply to existing and proposed shopping facilities which are of larger significance than those serving the day-to-day needs of residential areas. However, each District Commercial centre should have uses that serve the surrounding residential area and Planning District.

2.2.1.3.1 The symbols for District Commercial use shown on Schedule "1" indicate the general areas within which such centres should be located, provided that:

a) the major permitted uses shall be department stores, warehouse membership clubs, food stores, home improvement stores, personal

service uses, offices, hotels, motels, restaurants, places of entertainment and recreation, and dwellings associated with these uses, provided they are located above or at the rear of business premises;

b) the minimum size of any store within a commercial development in this designation is 464 square metres (5,000 square feet);

c) they are located on provincial highways, arterial or collector roads, and preferably at the junction of these.

2.2.1.3.2 Automobile service stations will be allowed in District Commercial centres when directly associated with other permitted commercial uses, provided that any such service stations:

a) are located only on the outside limits of a District Commercial centre;

b) do not detract from the amenity of nearby residential areas; and

c) no additional service access points are required.

2.2.1.3.3 Childcare centres shall be allowed in District Commercial centres, provided that such facilities be licensed under and conform to provincial statutes and amendments thereto.

2.2.1.3.4 Multi-residential uses may be incorporated into District Commercial centres if provided for in a properly planned and coordinated manner.

2.2.1.3.5 Any application to re-designate land for district commercial purposes shall be accompanied by a detailed market impact study justifying the proposed size and type of commercial use and establishing the fact that limited adverse economic effects on the planned function of other commercial areas in the City that would jeopardize their long-term economic viability.

2.2.1.3.6 Additional district commercial lands beyond those designated on Schedule "1" will only be permitted by an amendment to the Official Plan. Such an amendment will only be considered if it has been adequately demonstrated by the developer of the proposed centre, and to the satisfaction of the City that:

a) the need for an additional shopping is justified by supporting studies including market impact, traffic and servicing;

b) cannot be suitably accommodated in designated commercial areas;

c) limited adverse economic effects will be felt by existing commercial designated areas in the City that would jeopardize their long-term economic viability;

d) that the new commercial development will be compatible with surrounding land uses and it can be demonstrated that the community will benefit as a whole because of the location chosen for a new district commercial area

2.2.1.3.7 The City shall also be satisfied that no undue transportation or servicing difficulties would ensue from the establishment of new shopping areas and that all other requirements of this Plan have been met.

2.2.1.3.8 The following uses shall be prohibited on lands designated for District Commercial purposes along the north side of McKeown Avenue in the blocks bounded by Gormanville Road and Champlain Street: hotels, motels, taverns, service stations, places of entertainment, clubs and fraternal organizations.

2.2.1.3.9 District Commercial areas shall be developed at a scale that is compatible with adjacent land uses such that the adjacent land uses are not negatively impacted by the massing and height of District Commercial development. Good urban design will be achieved through the implementation of Site Plan Control. It is intended that new District Commercial development will be designed in a manner that provides vehicular and pedestrian connections to and through adjacent lands.

2.2.1.4 Arterial Commercial

Commercial uses along North Bay's arterial roads evolved as a result of the amalgamation of three communities. North Bay's original Official Plan attempted to manage the continued growth of these areas in a manner that would not compete with regional and district commercial areas. Their primary function was to service the needs of the traveling public. It is now contemplated that the permitted uses along Arterial roads should be made more flexible for these areas to achieve viability, while at the same time respecting the commercial hierarchy of this Plan.

This designation applies to limited areas fronting on certain arterial roads, as shown on Schedule "1", that because of location and accessibility are most suited to commercial uses relying on vehicular traffic for most of their business. Existing commercial uses located along arterial roads are primarily a result of the historical use of these roads as primary or secondary highways.

The intent of the Plan is to consolidate as much of this type of development as possible within present limits before allowing extensions into other areas to recognize existing uses and to provide limited flexibility to ensure viability.

Additional commercial uses beyond those designated on Schedule "1" will only be permitted by an amendment to the Official Plan. Such an amendment will only be considered if it has been adequately demonstrated by the developer and to the satisfaction of the City that it is not feasible to locate in other designated commercial areas and that the new commercial development will be compatible with surrounding land uses.

2.2.1.4.1 Permitted uses in "Arterial Commercial" areas shall be limited to include only:

a) automobile service stations, automobile sales and service agencies, car washes;

b) drive-in establishments, such as restaurants and theatres;

c) hotels, motels (cabin and cottage parks), and related tourist facilities;

d) places of amusement and recreation, such as a bowling alley or curling rink;

e) industrial and recreational equipment sales and services; and

f) restaurants and gift shops.

2.2.1.4.2 Ancillary retail commercial and office uses maybe permitted, provided it can be demonstrated to the satisfaction of the City that they will not interfere with or detract from the activities of the major uses.

2.2.1.4.3 Provision shall be made for a continuous strip of land intended for landscaping purposes between any arterial commercial use or parking area and the adjacent highway, and residential areas, except for designated entrances and exits.

2.2.1.4.4 Residential uses are to be permitted as a secondary use either on the second floor or at the rear of a development.

2.2.1.4.5 Lakeshore Drive

2.2.1.4.5.1 The lands located along Lakeshore Drive between Judge Avenue and Gertrude Street have been used for a variety of commercial purposes over the past 20 years. This area has transitioned from the major entrance to the City, along the former Highway 11, to providing for the commercial needs of the surrounding local residents.

2.2.1.4.5.2 It is anticipated that this area of Lakeshore Drive will continue to serve the commercial needs of local residents in the same fashion as currently exists, being small retail stores, restaurants, small scale oriented offices, financial services, personal services, professional offices, private recreational and amusement uses and corner stores.

2.2.1.4.5.3 It is the intent of this Plan not to permit large administrative type offices.

2.2.1.4.5.4 Provision shall be made for a continuous strip of land intended for landscaping purposes between any arterial commercial use or parking area and the adjacent highway, and residential areas, except for designated entrances and exits. Parking areas will be encouraged to locate at the rear of properties fronting on Lakeshore Drive.

2.2.1.4.5.5 Lakeshore Drive has been identified as an arterial to be widened to provide more efficient access to and from the south end of the City. The City will use its powers under the Planning Act to acquire lands adjacent to Lakeshore Drive through its Site Plan Control powers.

2.2.1.4.6 Fisher Street and Highway 11

2.2.1.4.6.1 The lands located along Fisher Street between McGaughey Street, Regina Street, Hammond Street and Chippewa Street have been used for a variety of commercial and industrial purposes over the past 20 years. This area has transitioned from largely an industrial area, to providing for the commercial needs of the surrounding local residents.

2.2.1.4.6.2 It is anticipated that this area of Fisher Street will continue to serve the commercial needs of the local residents, in the same fashion as currently exists, being small retail stores, restaurants and corner stores.

2.2.1.4.6.3 This area shall not permit professional or administrative offices.

2.2.1.4.6.4 Provision shall be made for a continuous strip of land intended for landscaping purposes between any arterial commercial use or parking area and the adjacent highway, and residential areas, except for designated entrances and exits. Parking areas will be encouraged to locate at the rear of properties fronting on Fisher Street.

2.2.1.4.6.5 There has been continued pressure for commercial development along the residential sections of Fisher Street, south of Laurier Street. It is the intent of this Plan that no further Commercial development be permitted along this area of Fisher Street to protect and enhance the Downtown core and the existing residential area.

2.2.1.4.7 Trout Lake Watershed

Those Arterial Commercial Uses located within the Settlement Area and within the Trout Lake Watershed be subject to stringent Site Plan Control review specifically regarding stormwater management and other potentially identified impacts for the protection of Trout Lake water quality.[11] *[Amended by OPA 12]*

2.2.1.5 Hospitality Service

2.2.1.5.1 In the area lying on either side of Lakeshore Drive from Parks Creek to Premier Road, a more orderly division of residential uses from existing or proposed Hospitality Services uses is required. The expansion and development of new Hospitality Service developments in this area will be directed to lands which are already designated. New Hospitality Service designations should only be considered where they are adjacent to existing Hospitality Service designations. Such amendments will only be considered if it has been adequately demonstrated by the developer and to the satisfaction of the City that it is not feasible to locate in other designated commercial areas.

2.2.1.5.2 The uses permitted in the Hospitality Service designation will include hotels, motels, cabins, tent and trailer parks, restaurants, gift shops, places of entertainment and recreation and other facilities which cater to the needs of the traveling and vacationing public.

2.2.1.6 Neighbourhood Commercial

Neighbourhood commercial developments are intended to serve the day to day needs of the local population in residentially designated areas.

There has been continued pressure for commercial development along the residential sections of Fisher Street, south of Laurier Street. It is the intent of this Plan that no further Neighbourhood Commercial developments be permitted along this area of Fisher Street to protect and enhance the Downtown core and the existing residential area.

2.2.1.6.1 Retail and personal service uses to serve the convenience needs of the local population in residential areas such as "corner" stores, variety stores, personal services, dry cleaning pick-up stores may be permitted in a residentially designated area by an amendment to the Comprehensive Zoning By-law, which shall be approved by the municipality only when it has been demonstrated that:

a) the proposed store (or stores) is warranted in the particular location on the basis of the location and type of other retail and personal service establishments in the vicinity of the proposed store;

b) the proposed location would minimize any adverse effects upon adjacent residential areas by way of landscaping, fencing and appropriate lighting;

c) wherever possible, such uses should be located on the corner of two streets;

d) the proposed commercial site is not greater than four tenths (0.4) of a hectare; and

e) adequate parking can be provided.

2.2.1.6.2 Local commercial uses may be developed within high rise apartment buildings to serve the convenience of tenants provided they do not change the residential character of the building.

2.2.1.7 Home Based Businesses

Home based businesses are an important part of the local economy. They provide an opportunity for entrepreneurship and business ownership. It is the intent of this Plan that when these businesses grow to a level that is incompatible with the surrounding residential neighbourhood, it is anticipated that the business use will relocate to an appropriately zoned area.

2.2.1.7.1 Home based businesses are sole proprietor undertakings which are located in residential neighbourhoods which are subordinate to the principle residential use of the dwelling unit.

2.2.1.7.2 The Comprehensive Zoning By-law shall set out permitted uses and regulations associated with the start-up and operation of home based businesses within the Urban and Rural areas. No home based business shall be permitted which compromises the residential character of the dwelling unit or the residential amenity and enjoyment of the residential neighbourhood or rural setting by its residents.

2.2.2 Employment Lands – Industrial

The employment lands in the Official Plan include both those lands presently used for industrial purposes and other lands whose future potential is considered to be part of the industrial area.

Since industrial development is directly related to the growth and viability of the municipality, it is hoped that the Provincial and Federal governments will be encouraged to participate in the development of industrial lands.

As a result of a large portion of land located in the West Ferris Planning district being identified by the Ministry of Natural Resources as Provincially Significant Wetland, and the Provincial Policy Statement (2005) restricting development in these areas lands previously designated for future industrial development are no longer available.

To support industrial growth, maintain and enhance the North Bay Jack Garland Airport as an important community resource, the Airport lands are designated for future industrial growth, as detailed in this Plan and the Comprehensive Zoning By-law.

2.2.2.1

2.2.2.1.1 To ensure an adequate supply of and a stable price for serviced industrial land, the City shall continue to take the necessary steps to acquire, service and offer for sale, and where appropriate lease, industrial land.

2.2.2.1.2 Revenues from such land sales shall be set aside in a specified reserve fund for future land acquisition, servicing and development, as required.

2.2.2.1.3 This Plan divides employment land between General Industry and Restricted Industrial Uses. It is the intent of this Plan to permit fully serviced industries in the General Industrial areas and to provide for limited unserviced industrial development in the Restricted Industrial area, as provided for in 3.8.

Permitted Uses

2.2.2.1.4 Within the Settlement Area, sensitive land uses should be protected from employment lands through a gradient of industrial zones and permitted uses established through the Comprehensive Zoning By-law.

2.2.2.1.5 In general, the major uses of land in the General Industry areas shall be all forms of manufacturing, processing of goods, data and materials, warehousing, storage, builders' yards, transportation and communication related facilities and public utilities.

2.2.2.1.6 Residential uses shall not be permitted in any industrial area except for a dwelling unit for an essential workman or caretaker and his/her family.

2.2.2.1.7 Childcare centres shall be allowed as an integral accessory use within the main building in General Industrial Areas, provided that such facilities be licensed under and conform to the provisions and regulations of the Day Nurseries Act and amendments thereto.

Since childcare centres are considered a sensitive land use, they must be appropriately designed, buffered and/or separated from other General Industrial uses in order to prevent adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety. The Ministry of Environment's D-Series Guidelines for Land Use Compatibility will be used as a resource for the review of new accessory childcare centres in industrial areas.[12]

2.2.2.1.8 The Comprehensive Zoning By-law that implements this Official Plan shall permit the establishment in General Industrial areas of those commercial uses that are directly associated with and integral to the principal industrial use on a particular property such as:

a) wholesale or retail outlets;

b) administrative offices;

c) showrooms or merchandising centres; and

d) group homes, where appropriate.

2.2.2.1.9 Limited commercial uses that serve the convenience needs of the immediate General Industrial area are suitable for location in the General Industrial areas. Such limited commercial use may be permitted only upon amendment to the Comprehensive Zoning By-law, provided that such amendments shall be approved only when it has been shown to the satisfaction of the City that:

a) The commercial use provides a service for adjacent lands or benefit to the area and does not jeopardize the commercial hierarchy of this Plan;

b) The site for the proposed commercial use is such that its development:

i) will not prevent the satisfactory development of the area in which it is located for industrial purposes;

ii) is so located with respect to other commercial uses that it will make possible the development of a compact commercial concentration, and not result in the development of an extended strip of commercial uses likely to prevent the satisfactory development of the area for industrial purposes.

2.2.2.1.10 The effects of more intrusive industries on other industries shall be minimized and the quality of existing industrial areas maintained by defining areas suitable for groups of industries with similar characteristics and requirements related to:

a) the production of smoke, fumes, dust, noise and vibration;

b) the degree of concern or potential danger to health and safety associated with the industrial operation; and

c) the nature and extent of storage or operations carried on in the open, provided that where any proposed industry involves the possibility of air, soil, or water pollution, agreements satisfactory to the City shall be made between the proposed industry and the City concerning the reduction of such pollution to the minimum possible levels.

2.2.2.1.11 To ensure that the development of new employment lands are designed in a manner to avoid public health and safety concerns and to minimize the risk to public health and safety, the Ministry of Environments D-Series Guideline for Land Use Compatibility will be used as a resource for the review of new industrial development. The same review will be undertaken where residential uses are proposed in proximity to industrial uses.

2.2.2.1.12 Where it can be demonstrated that Comprehensive Zoning By-law parking requirements are in excess of the current required needs of a proposed industrial use, the Comprehensive Zoning By-law will provide for a parking reserve area to be protected from development. If the needs of the industrial use changes, these lands shall be used for parking purposes. In addition to the Comprehensive Zoning By-law, this parking provision will be implemented by way of Site Plan Control.

2.2.2.2 Industrial Business Parks

The business park concept provides for industrial and industrial service and support uses in architecturally treated and finished buildings located in a specifically landscaped setting. The finished appearance of the buildings, the signage, the landscaping and the finished character of the driveways, entryways, and parking areas provide a site context which promotes both corporate image and community image. Business park developments provide industrial and industrial support firms with a business setting which emphasizes a high degree of site design development and maintenance which is reflective of a positive community attitude and more compatible with adjacent land uses of a different nature.

Business parks differ significantly from other industrial malls, sites and developments by virtue of the required high standard of building and site design and the use of the outside lot areas surrounding the building. They also differ from commercial centres and retail malls and plazas by virtue of the industrial and industrially-oriented permitted uses.

2.2.2.2.1 The Comprehensive Zoning By-law that implements this Plan shall provide for Industrial Business Park development zones characterized by permitted use provisions and development regulations that are consistent with the policies of this Section.

2.2.2.2.2 The main permitted Business Park uses include:

a) corporate administration offices;

b) research and development facilities;

c) data processing facilities;

d) technologically advanced manufacturing or assembling operations for the production of high value products, and communication related facilities;

e) technical and professional, industrial and administrative support services;

f) such administrative, professional, and/or technical services as architectural, engineering, surveying, designing and other industrial support and industrial-related services.

2.2.2.2.3 In addition to the above, the following complementary and accessory uses are also permitted when intended to serve or when ancillary to the main industrial uses or adjacent industrial area:

a) office and business service establishments;

b) daycare facilities; and

c) convenience stores and restaurants.

2.2.2.2.4 It is the policy of this Plan to prohibit all the uses generally prohibited in Industrial areas, and to specifically prohibit outside storage in conjunction with business park uses.

2.2.2.2.5 Proposals for business park development shall meet not less than two of the following location criteria:

a) frontage on an arterial or collector road;

b) a high visibility location in relation to a transportation corridor or Provincial highway;

c) a location where adjacent natural features will reinforce the development of the landscaped setting of the facility;

d) a site adjacent to a non-industrial use area; and

e) a location on the periphery of an industrial area, rather than internal to the area.

2.2.2.2.6 Industrial business park developments shall be subject to the following overall development policies:

a) business park development may include buildings designed for individual or multiple occupancy on a leasehold or condominium basis;

b) business park development may occur on a multiple lot basis or as a single land parcel with single or multiple buildings;

c) business park development on a single lot basis shall be based on a lot of sufficient size to accommodate occupancy in conjunction with an extensive landscaped amenity area;

d) buildings designed and constructed to higher-order architectural standards shall be required;

e) well-designed landscaping treatments shall be required;

f) complementary and accessory uses are encouraged to locate in buildings designed for multiple occupancy, rather than in free-standing buildings on small land parcels;

g) vehicle storage compounds shall be located in treated parking areas appropriate to the landscaped setting of the building;

h) driveways and parking lots shall be developed to an urban standard, including asphalt surfacing and storm drainage;

i) business park development shall be subject to site plan control;

j) business park developments will occur on full municipal water and sewage services; and

k) business park development will be buffered from sensitive land uses and vice versa through the use of separation distances. The Ministry of the Environment's D-Series Guidelines for Land Use Compatibility will be used as a resource for the review of new business parks.[13]

2.2.2.3 Airport Business Park

Based on the recent demands for and expected increase in requirements for serviced industrial land within the City, the land associated with North Bay Jack Garland Airport shall be designated for current and future industrial/business park development within the community.

The Official Plan, through the Airport Business Park policies, recognizes the importance of promoting and maintaining a viable airport and industrial/business park to the economic and social well-being of Northern Ontario, the region and the City.

It is the intent of this Official Plan to give preference to airport related businesses on airside lands and to promote compatible groundside industrial development. Airside developments differ from other industrial uses, as they require either direct access to airfield assets such as runways, taxiways and aprons, or they provide related industrial commercial support services to the principal industrial use.

With the need for industrial designated lands within the City, and with the unrestricted Municipal ownership of the airport lands, the development of an Airport Business Park has been identified as a strategic investment in the long-term health and prosperity of the community.

2.2.2.3.1 The Comprehensive Zoning By-law will zone lands to ensure the limited lands available for airside related uses are protected for the long term.

2.2.2.3.2 Ancillary Airport Business Park uses shall be encouraged to locate on the periphery of the principle Airport Business Park uses away from runways, in order to ensure that the limited land base immediately abutting, or having direct access to the runways, is preserved for principal uses which demonstrate a real need for such locations, but not at the expense of the Commercial hierarchy of this Plan.

2.2.2.3.3 General Industrial/Business Park uses shall be encouraged to occupy lands that do not necessarily require direct or deeded access to runways, taxiways or aprons. These operations should front on an existing or proposed Municipally maintained road or by way of private driveway in a private condominium.

Permitted Uses

2.2.2.3.4 Airside uses shall include:

a) aeronautical/aerospace research and development facilities;

b) manufacturing, fabricating, assembling, repairing, overhauling, testing and maintenance of aircraft or aeronautical/aerospace related products;

c) fixed base operations including refueling, flight planning, air ambulance and pilot services;

d) technical and professional aeronautical/aerospace industrial and administrative support services;

e) aeronautical/aerospace instructional services, flight training and testing;

f) air cargo warehousing, value added assembly and distribution; and

g) charter/private aircraft and facilities and other flight services.

2.2.2.3.5 In addition to the principal uses contained herein, the following complementary and accessory uses are also permitted when intended to provide a service to or when ancillary to the Airport Business Park

a) office and business service establishments;

b) fueling services;

c) outside storage;

d) car rental agencies;

e) day nursery;

f) convenience stores and restaurants; and

g) vehicle repair and maintenance.

2.2.2.3.6 Groundside industrial development uses shall include all uses permitted in other industrial zones, as identified in the Comprehensive Zoning By-law, subject to the provisions and regulations of those zones.

2.2.2.3.7 All new development and redevelopment of the Jack Garland Airport lands will be subject to Site Plan Control and to the development guidelines to be prepared for the North Bay Jack Garland Airport.

2.2.2.3.8 Both Airside and Groundside development within the Airport Business Park shall be subject to the following overall development policies:

a) Airport Business Park development may include buildings designed for individual or multiple occupancy on a ownership, leasehold or condominium basis;

b) Airport Business Park development may occur on a multiple lot basis, condominium, or as a single land parcel with single or multiple buildings;

c) Buildings designed and constructed shall have regard for appropriate noise attenuation and height limitations as necessitated due to the proximity to the airfield;

d) No person shall use land or use, construct or modify any building or structure within an Airport Business Park development that is not in conformity with NAV Canada Electronic Zoning requirements or other applicable Federal regulations;

e) Complementary, supporting and accessory uses are encouraged to locate in buildings designed for multiple occupancy on small land parcels located away from the runways, taxiways and aprons;

f) Driveways and parking lots shall be developed to an urban standard, including hard surfacing and storm drainage;

g) Airport Business Park development shall be subject to site plan control; and

h) Airport Business Park developments should occur on full municipal water and sewage services, where the industrial use requires sewer and water and a municipally maintained road.

2.2.2.3.9 The City of North Bay may consider the extension of Four Mile Lake Road to Highway 11 for the purpose of development of the Airport Business Park, in addition to uses associated with surrounding aggregate operations. The extension of Four Mile Lake Road is considered a future collector road, as shown on Schedule 5 to this Plan.

2.2.2.3.10 A Draft Plan of Subdivision, Zoning By-law Amendment and a series of Aviation/Industrial Development Design Guidelines specific to the lands will be developed. The purpose of this undertaking will be to define Airside and Groundside parcels and their respective designated uses and development standards.

## 2.3 Institutional Uses

2.3.1 Institutional uses are designated[14a] on Schedules "1" and "2" of this Plan. The intent of this designation is to provide suitable and large enough areas for regionally oriented health care, post-secondary education, recreational and other public institutional facilities, particularly those characterized by large areas of open space. Offices of Federal and Provincial Ministries may locate in institutional areas. Where possible, it is the intent of this Plan to encourage these offices to locate in the Central Business District, however, the Plan recognizes the location requirements of these uses.

2.3.2 Childcare centres that are licensed by the *Day Nurseries Act*, and amendments thereto, shall be allowed as accessory uses to institutional uses.

2.3.3 Those Institutional Uses located within the Settlement Area and within the Trout Lake Watershed be subject to stringent Site Plan Control review specifically regarding stormwater management and other potentially identified impacts for the protection of Trout Lake water quality.[14b] *[Amended by OPA 12]*

# PART 3: RURAL AREA

The City of North Bay is made up of a large portion (80%) of land outside the City's urban settlement boundary. It is anticipated that these lands will not be serviced by municipal water or sanitary sewer services for the duration of this Plan.

The Rural Area is beyond the area required for urban development and therefore the intent of this Plan will be to protect the rural nature of these lands, by directing new development to the Settlement Area, leaving the rural area largely undeveloped. Uses in the Rural Area will be those uses that are location dependent and do not require urban services, such as but not limited to: aggregate and mineral extraction, limited restricted industrial, highway commercial, waterfront commercial, rural institutional and limited residential development.

One third of the rural area (approximately 8,500 hectares or 21,000 acres) is Crown Land and therefore subject to Provincial approvals and permitting. The Province can undertake any activity on Crown Lands without municipal approval, such as but not limited to: forestry, mining and aggregate operations without Official Plan and zoning conformity.

It is the intent of this Plan to strictly control development within the rural area and ensure that land use conflicts in the rural area are minimized.

3.1

3.1.1 The design characteristics associated with the rural area will be respected and incorporated, where appropriate

3.1.2 New residential lot creation will be considered only where there is no undue pressure put upon existing infrastructure, including the extension of road networks.

3.1.3 No new residential development shall be permitted within the Airport Protection Zone, as shown on schedule 1 and 2 of this Plan; redevelopment of existing residential uses and other sensitive land uses or infilling of residential or other sensitive land uses in areas with the Airport Protection Zone may be considered only if it has been demonstrated that there will be no negative impact on the long term function of the airport. The federal guideline entitled "Aviation: Land Use in the Vicinity of Airports" will be used to assess impacts of proposals near the airport. *[added by OPA 10]*

3.1.4 Any new Estate Development shall be located in a manner that will not impact aggregate resource extraction operations, mineral extraction operations[16], forestry operations, agricultural uses or identified recreational opportunities. It is the intent of this Plan not to permit Estate Development within the Trout Lake watershed.

3.1.5 Any new development or re-development will be reviewed with respect to the Parks Plan Update 2009 and Trails and Active Transportation Strategy 2008 and associated Official Plan schedules and studies to ensure identified recreational opportunities are provided, maintained, and enhanced, where appropriate.

3.1.6 Designate Aggregate Resource Areas and Mineral Resource Areas to ensure they are protected for the long term.

3.1.7 Any new development proposed in the Rural Area will be reviewed for the presence and protection of provincial interests[17a] as described in the Provincial Policy Statement 2005 or any successor policy documents, as well as compliance with the applicable legislation[17b].

## 3.2 Aggregate Extraction Designations

Primary Aggregate Resource Areas as shown on Schedule 2 to this Official Plan were initially identified through the Ministry of Natural Resources 'Aggregate Resources Inventory' and will be protected from incompatible land uses. An Official Plan amendment will be required however, prior to the establishment of any new additional aggregate areas not shown on Schedule 2. The City notes that the location and quality of the identified deposits from the Ministry documentation may not be accurate and will require additional investigation and verification.

The City recognizes that mineral resources are a fixed location non-renewable resource found throughout the Planning Area and that their effective management is essential. It is also recognized that a balance must be struck between the competing priorities for the protection of the mineral resource and the need to address the other goals of the Official Plan, such as encouraging growth and prosperity in the City.

Lands designated Aggregate Extraction on Schedule 2 represent sites where the extraction of aggregate, as defined from time to time in the Aggregate Resources Act and accessory and incidental uses thereto, such as crushing, screening, blending, washing, stockpiling and recycling together with, agriculture, forestry, wildlife and fisheries management, portable asphalt plants and wayside pits and quarries will be permitted. No other use shall be permitted without amendment to the Plan. Lands designated Aggregate Extraction on Schedule 2 do not represent the total area of potential extraction or identified aggregate resources.

3.2.1 Aggregate Extraction Designations shall adhere to the following policies:

a) The primary use of lands designated Aggregate will be pit and quarry operations, including asphalt and concrete plants; and

b) Lands designated aggregate shall be protected from uses and/or activities that may hinder the future expansion and extraction of aggregates in the future.

3.2.2 Aggregate designations will take precedence over any land use that would prevent their future expansion and extraction, except where previous Official Plan Amendments occurred which established a new designation.

3.2.3 New lot creation is not permitted on lands designated as Aggregate, unless the provisions of 3.2.8 are achieved and the proposal meets the intent of the rural lot creation policies of this Plan.

3.2.4 In order to establish a new extractive operation or expand an existing extraction operation beyond the area currently designated Aggregate

Extraction on Schedule 2, an amendment to the Official Plan and Comprehensive Zoning By-law will be required.

Application to amend the Official Plan and Comprehensive Zoning By-law must be accompanied by the following information and follow the following procedures:

a) Submission of copies of all documentation provided to the Ministry of Natural Resources as required for licensing, pursuant to the Aggregate Resources Act.

b) Submission of a hydrogeological study demonstrating that washing and screening operations will be carried out in accordance with established Provincial standards, regulations and guidelines.

c) Submission of a traffic study demonstrating that the movement on existing streets or roads will not be unduly obstructed or interfered with by aggregate carrying vehicles during the operation of the pit or quarry.

d) The capability of the existing road network to service the proposed new aggregate operation and the possible need to improve an existing road or construct a new municipal or private road, for the activities of the new aggregate operation.

e) In a situation where an existing municipal road requires improvement, or a new municipal road constructed, appropriate cost sharing will be negotiated between the City and the developer.

f) The determination for the construction of any new municipal or private roads will be required where the aggregate operations are of a scale where the transporting of the aggregate operation would have negative impacts on existing rural residential developments.

g) In instances where new private roads, for the purpose of access to aggregate operations or haulage of aggregate, need to be constructed, the road shall be designed to accommodate the Aggregate operation. All private roads shall be constructed at no cost to the City of North Bay.

h) Any proposed new municipal road construction shall be approved by the City and constructed to the appropriate municipal standard.

i) Where a road is constructed for the purpose of an aggregate operation, no new residential lot creation will be permitted along the new road to ensure the viability of the aggregate operation.

j) In instances where roads are assumed and maintained by the Municipality, new residential lot creation may be permitted along these roads in the future, the purchasers of the property shall be made aware that the road is primarily used for the haulage of aggregate.

k) Submission of an environmental engineering study demonstrating that the effects from the proposed aggregate extraction operation or from any associated processing operations upon land uses in the surrounding area in terms of air quality through dust and particulate emissions and the potential for noise and vibration levels and quality and quantity of surface water and ground water resources will not exceed limits established by Provincial standards, regulations and guidelines.

3.2.5 Wayside pits and quarries, portable asphalt plants and portable concrete plans used on public authority contracts are permitted in all areas without the need for an Official Plan Amendment or rezoning under the *Planning Act*, except for those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

3.2.6 Upon completion of quarrying operations and when there is no intention to reopen such operations:

a) All buildings, structures and machinery shall be removed from the site; and

b) The site shall be rehabilitated as set out for the operation under the Aggregate Resources Act. In no circumstance will the operation be left in a state that constitutes a public health and safety hazard.

3.2.7 Once a pit or quarry has been restored, sequential land uses that are compatible with the area will be encouraged. In case where restoration methods vary depending on the sequential use permitted, subsequent uses will be considered prior to rehabilitation.

3.2.8 On areas identified Aggregate on Schedule 2 to this Plan, non-farm development (other than passive open space uses) shall only be permitted where it has been demonstrated to the City that:

a) the extraction of the aggregate resource is not feasible due to the quality or quantity of material or the existence of incompatible development patterns;

b) that the proposed land use or development serves a greater long term interest of the general public than does aggregate extraction.

c) the proposed land use or development would not significantly preclude or hinder future resource extraction; or

d) the land use in the area has reduced the feasibility of extraction.

3.2.9 Non-farm development within 300 metres of areas identified as Aggregate on Schedule 2 to this Plan shall only be permitted if it has been demonstrated to the City that the proposed land use or development would not significantly preclude or hinder future aggregate extraction.

3.2.10 All aggregate operations shall be subject to Site Plan Control.

3.2.11 Where aggregate operations are to be undertaken in the Trout Lake Watershed, a rehabilitation strategy shall be implemented by way of Site Plan Control to ensure strict and timely rehabilitation following extraction so that any potential changes to the water recharge regime are mitigated.

## 3.3 Mineral Resources

3.3.1 For the purposes of this Plan, Mineral Resources means minerals that may be mined under the Mining Act. Uses associated with mineral mining are permitted in the rural area by way of an Official Plan Amendment and Zoning By-law Amendment. Lands may be explored and staked for mineral exploration purposes under the Mining Act without an Official Plan Amendment or Zoning By-law Amendment.

3.3.2 In addition to the potential for mineral deposits in the rural area of North Bay, bedrock aggregate potential has been identified by way of the Ontario Geological Survey. There is also potential for kimberlites in the rural area of North Bay. Where development is proposed near these areas the Ministry of Northern Development and Mines will be consulted.

3.3.3 All mineral resources extraction operations shall be subject to Site Plan Control.

3.3.4 In areas identified as having Mineral potential, non-farm development (other than passive open space uses) shall only be permitted where it has been demonstrated to the City that:

a) the extraction of the mineral resource is not feasible due to the quality or quantity of material or the existence of incompatible development patterns;

b) that the proposed land use or development serves a greater long term interest of the general public than does mineral extraction;

c) the proposed land use or development would not significantly preclude or hinder future resource extraction; or

d) the land use in the area has reduced the feasibility of operations.

3.3.5 Upon completion of mining operations and when there is no intention to reopen such operations:

a) All buildings, structures, and machinery shall be removed from the site;

b) The site shall be rehabilitated as set out for the operation under the Mining Act. In no circumstance will the operation be left in a state that constitutes a public health and safety hazard.

### 3.3.6 Abandoned Mines

Where development is proposed on lands which include, or are abutting or are within 1000 metres of lands affected by mine hazards or former mineral resource operations, the development will be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under way or have been completed. The approval authority will require documentation from a development proponent to this effect. Alternatively, confirmation will be required from a qualified professional that the lands proposed for development are not affected by the mine hazards.

Where proposed development is confirmed to be affected by a mine hazard and rehabilitation has not occurred or is not underway, depending on the extent of the hazard and the feasibility to mitigate and rehabilitate the hazard as required under the Mining Act, the development may not be able to proceed.[20]

3.4 Rural Residential Lot Creation

3.4.1 Multiple lot creation for the purpose of new residential development in the rural area will be discouraged.

3.4.2 In general, applications for consent to sever will be discouraged in the rural area and will only be granted when it is clearly not necessary in the public interest that a Rural Estate Plan of Subdivision be registered.

3.4.3 This section of the Plan does not apply to lot creation on the Trout Lake Shoreline or on any major inflowing stream to Trout Lake.

3.4.4 In no circumstance will a new lot be created, by any means permitted in this Section, which would create an infilling situation for further new lot creation.

3.4.5 Lot creation shall not be permitted in areas found to have aggregate, mineral, natural heritage[21], cultural or archeological potential. Where study and a conservation strategy is undertaken and approved by the City and the North Bay-Mattawa Conservation Authority, limited new lot creation may occur in these areas.

3.4.6 Any lands subject to new development within the rural area are not to be cleared until the construction of new buildings commence;

3.4.7 In the rural area, before any consent to sever is granted, or any amendment to the Comprehensive Zoning By-law is made, or any other appropriate function of local government is performed, the following policies shall be adhered to:

a) good agricultural land should be preserved for agricultural purposes;

b) the proposal meets the aggregate extraction and mineral resource policies of this Section;

c) scattered isolated residences throughout the rural area and ribbon development along major roads or highways should be prevented. Direct access from major roads should be restricted and residential lots should, where possible, have access only from minor roads;

d) the land shall front on a year-round publicly maintained road;

e) where possible, any new lot created should be located along the boundary of the original parcel;

f) the resulting development will in no way contribute to a demand for the enlargement of schools and extension of school bus routes and

the extension of municipal services, including garbage collection and other urban services;

g) soil and drainage conditions are suitable to permit the proper siting of buildings, the supply of potable water and the installation of an adequate means of sewage disposal.

h) In all cases, the severed and retained parcels shall conform and comply to the regulations of the Comprehensive Zoning By-law;

i) a consent application may be favourably regarded if it is:

i) for a non-residential use which is compatible with adjacent uses;

ii) to enlarge an existing lot, but not to create a new separate lot;

iii) to clarify the title to the land including a certificate of validation as provided for in Section 57 of the Planning Act, where the owner is not creating a lot for gain but where the owner is or has acquired the lands for their own use and enjoyment and a title problem has arisen; and

iv) to permit an easement.

3.4.8 No new residential lot creation shall be permitted within the Airport Protection Zone, as shown on Schedule 1 and 2 of this Plan. Infill development may be permitted only when it has been demonstrated by the proponent that there will be no negative impacts on the long term function of the airport. *[added by OPA 10]*

3.4.9 To ensure that the development of new residential lands are designed in a manner to avoid public health and safety concerns and to minimize the risk to public health and safety, the Ministry of Environment's D-Series Guidelines for Land Use Compatibility will be used as a resource for the review of new residential development.[22] (subsequent subsections renumbered up to subsection 3.5)

3.4.10 Recognizing that many of the existing residences in the rural area are non-farm dwellings, and because of the unsuitability of much of the land in the rural area of the City for agricultural purposes, it is the policy of the Plan to permit very limited residential development that maintains the rural character of the area and does not jeopardize the planned function of the rural area, in one of the following manners:

Infill Lot Creation

a) Infill residential development shall be permitted in presently developed areas, except where known aggregate deposits are present and where infill development would aggravate existing inadequate drainage conditions.

i) For the purpose of this Plan, infilling is interpreted as meaning the construction of one house between two existing developed houses that are not further than 200 metres apart on either side of the street.

ii) Any extension of small lot development of this nature beyond presently developed areas along roads and highways shall be considered contrary to the intent of this Plan.

iii) The By-law implementing this Plan will set out minimum requirements associated with lot area and setbacks to ensure the rural character of the area is maintained.

iv) Where applicable, similar information as required by Section c)vii)[23] (Rural Estate Subdivisions) may be required as part of the application for consent to sever.

v) In no circumstances will an additional residential dwelling unit be counted as an existing house for the purpose of satisfying the Infill Policy 3.4.10 a) i). *[Added by OPA #30)*

Limited Lot Creation

b) Limited lot creation shall be permitted in the rural area, on existing lots of record, providing the following policies are adhered to:

i) The applicant's principal residence is on the subject property at the time of application;

ii) The applicant has held the original parcel of land for approximately ten (10) years;

iii) The original parcel of land is a minimum of 16.2 hectares in size;

iv) That a maximum of two lots, which are contiguous to each other, may be severed from the original parcel;

v) Retained or severed parcel(s) of land that have previously been approved for severance(s) through these policies, shall not be further severed for the lifetime of this Plan from the date of approval of this Plan by City Council. Where lots have been created by way of consent to sever applications within the ten (10) years previous to the adoption of this Plan by Council no further subdivision of these lands shall be permitted.

vi) Where applicable, similar information as required by c)vii) (Rural Estate Subdivisions) may be required as part of the application for consent to sever.

Rural Estate Subdivisions

c) In circumstances where new lot creation is contemplated, and the applicant does not meet the other lot creation policies of this Plan, limited development may be permitted by way of a Plan of Subdivision for Estate Development, provided that:

i) the subject property is bounded on one or more sides by a road which is maintained by the Municipality or the Province on a year-round basis;

ii) such a development takes place only by Plan of Subdivision and by an Official Plan Amendment and Zoning By-law Amendment which shall designate such areas for “Estate Development”;

iii) each development shall be limited to twelve (12) lots so as to maintain the rural character of an area and to ensure that existing services are not overtaxed and no new services will be required;

iv) each of the lots to be created shall be not less than 1.2 hectares in size and generally have a minimum of sixth-one (61) meters in frontage;

v) the City will permit the creation of no more than one (1) estate lot subdivision in any one (1) year period. Where no rural estate subdivision applications are received, approved and registered in a one (1) year period, the prior years' allocation will not be carried forward;

vi) each lot be approved for sub-surface sewage disposal and on site water supply by the responsible agency;

vii) At the time of submitting an application for an Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Application, in order to be deemed a complete application under the Planning Act, the following information and studies shall accompany the application:

a) A water and sewer servicing capacity study;

b) A water supply assessment report;

c) A servicing options report;

d) A Hydrogeological study and terrain analysis;

e) A drainage, lot grading plan and/or stormwater management report; and

f) A reasonable use study which establishes to the satisfaction of the Municipality that such a development will not have a detrimental environmental, economic or social effect.

viii) Where applicable, the following additional studies may be required at any time during the review of the application(s):

a) An environmental impact assessment for a natural heritage feature or area;

b) A Species at Risk evaluation report;

c) A flood plain, flood proofing, protection works, restoration report;

d) An aggregate resource evaluation report to assess the residual economic value of aggregates;

e) A noise and/or vibration study;

f) A geotechnical study for slope analysis;

g) A heritage impact statement and/or archeological assessment report;

h) A traffic study; and

i) Any other studies that may be identified during the review of the application.

ix) the locations chosen for rural estate development shall not infringe on lands with a potential for mineral aggregate, forestry and agricultural production, or lands with a potential for recreational development. Such sites shall also have regard for natural physical features which produce a minimal disturbance to the natural environment and ensure that such developments blend into the rural landscape. These natural physical features should generally include a varied rolling topography and adequate tree and vegetation coverage.

x) when residential land uses are being proposed within 1000 m of an aggregate extraction operation (pit or quarry), technical studies are required to allow development to occur with this influence area and[24] rural estate development will not be permitted within 304 metres of a pit, quarry or aggregate operation licensed under the Aggregate Resources Act or areas;

xi) no new estate development shall be permitted within the Airport Protection Zone, as shown on Schedule 1 and 2 of this Plan; [added by OPA 10]

xii) any new rural estate development within the Trout Lake Watershed will be reviewed based on the lot creation policies of 3.5 Trout Lake Watershed and;[25]

xiii) all residential development located within the Restricted Residential area on Schedule 2, shall conform to the Acoustic Design Criteria set out in the Federal Guideline entitled “Aviation: Land Use in the Vicinity of Airports. In addition, the developer shall inform, in writing, all prospective purchasers and subsequent owners of the residential unit that the property in question is in an area where a possible airport noise problem may exist or develop.

## 3.5 Trout Lake Watershed

The *Clean Water Act* requires that all of Ontario's present and future sources of municipal drinking water, including in land lakes, rivers, groundwater and the Great Lakes, are protected through a watershed based source protection plan. *[Amended by OPA 12]*

The Source Protection Plan for the North Bay-Mattawa Source Protection Area sets out various policies that are to be implemented in the City of North Bay. The goal of a Source Protection Plan (SP Plan) is to manage or eliminate existing and future activities that could be significant drinking water threats.

One of the methods to implement the SP Plan is to use Land Use Planning tools to direct new development that could pose a threat to drinking water away from vulnerable areas to more appropriate locations.

Section 4.12 of this Plan outlines specific policies as it relates to the North Bay Intake Protection Zones and the Callander Issue Contributing Area. *[Added by OPA 12]*

3.5.1 This Official Plan recognizes that Trout Lake is a valuable community resource in that it is the sole source of drinking water for the City of North Bay as well as for private systems which draw their water directly from the lake; that this water body is a significant recreational resource at the fringe of the urban area which offers unique opportunities not found in such close proximity to most Canadian communities; that the shoreline of this water body has a special aesthetic appeal for the development of seasonal and permanent residential uses; and that the general population of North Bay wishes to see that special care is taken through strict lake and watershed development controls to maintain or improve its existing level of water, aesthetic and fishery quality.

3.5.2 This Plan recognizes that all lands located within the Trout Lake watershed are connected to Trout Lake by surface and ground water drainage, and that all uses in the watershed directly or indirectly influence Trout Lake. It is the intent of this Plan to strictly control or limit the nature and extent of development along the shoreline of Trout Lake, including second tier or back lot development, development on islands in Trout Lake, development along major inflowing streams to Trout Lake, and development in the Trout Lake watershed in general. The objectives of these controls are to maintain or improve the existing level of water quality, to maintain or improve the existing level of aesthetic and recreational qualities and to improve the lake's fishery.

3.5.3 Trout Lake's 1988 water quality status is classified as Level I or excellent by the Ontario Ministry of the Environment, which means that its average springtime constituent of total phosphorus is between 0.0 and 10.0

micrograms/L. While long term monitoring has identified a wide divergence in annual data, overall averages indicate that the main body of Trout Lake has an average springtime total phosphorus level of 7.1 micrograms/L and that Four Mile Bay has a corresponding level of 7.2 micrograms/L of total phosphorus.

3.5.4 This Plan also recognizes that Trout Lake is North Bay's source of municipal drinking water and is the source of water for many of the shoreline residents living around the lake. The key element in a multi-barrier approach to providing safe drinking water for all users is source protection, involving the development and enforcement of effective lake and watershed assessments, protection policies and programs.

3.5.5 While many of the policies contained in this section of the Plan show how public agencies can help maintain overall water quality, the other key stakeholder in water quality maintenance and improvement is the individual property owner. The key to source protection is the managing of human activities that affect drinking water sources. It is important for the shoreline and watershed property owners to note that individual actions taken on their land, whether by development or redevelopment, have an impact on the quality of water in the Trout Lake ecosystem. The cooperation of property owners is essential to maintain and improve the water quality, lake aesthetics, fisheries and other benefits upon which the community depends.

3.5.6 Serious water quality deterioration could occur if proper development controls, which limit the impact to the environment, are not adhered to. A coordinated approach to lake management which may include structural solutions such as rural area sanitary sewer servicing, new sub-surface sewage disposal technologies and stricter development control policies will facilitate the overall improvement to water quality.

3.5.7 Effective management will be achieved when predicted average nutrient concentrations will maintain or reduce existing nutrient levels in Trout Lake. This shall occur under a scenario where all existing lots or parcels of record are developed and steady state nutrient loading is occurring. Currently a measured ice-free seasonal average phosphorus level of 7 ug/L combined with a late summer volume weighted dissolved oxygen measure of 8 mg/L represents required long-term indicators of the overall health of Trout Lake and which defines one of the City of North Bay's minimum water quality objectives.

3.5.8 Council will reconsider this policy when sufficient servicing is completed around the un-serviced shoreline of Trout Lake, when new technological solutions are implemented to lower the current nutrient loading of existing development, or when new technology makes non-impact development

possible, and in any case this policy will be reviewed in conjunction with the next statutory Official Plan review as required by the *Planning Act*.

3.5.9 In order to provide useful historical sampling data and for effective management controls for the lake, the City shall continue to commit reasonable resources, along with other partners, to the task of regular water quality sampling.

3.5.10 The City of North Bay is also committed to conducting research, either directly or indirectly, in areas such as alternative septic system technology that can significantly reduce waste water nutrient levels with the objective of attaining provincial approval of technologies that can be applied on a watershed basis.

3.5.11 Residential development with frontage on Trout Lake will only be permitted, within the rural areas, in areas designated as "Lakefront Residential" as identified on Schedule "2" to this Plan. The following uses shall be permitted within the "Lakefront Residential" designation:

a) permanent or seasonal residential dwellings;

b) local parks and playgrounds, and

c) accessory uses to the above.

3.5.12 In the event that the current prohibition on new vacant lot creation is removed, new multi-lot residential development with frontage on Trout Lake will only be permitted, within the rural area, in areas designated as "Lakefront Residential" as identified on Schedule "2" to this Plan. The following uses shall be permitted within the "Lakefront Residential" designation:

a) permanent or seasonal residential dwellings;

b) public parks, playgrounds, natural open spaces, and

c) accessory uses to the above.

3.5.13 All residential development proposed under 3.5.11 and 3.5.12[26] shall occur as part of a Plan of Subdivision, all lots to be created shall have frontage on a year-round, publicly maintained road.

3.5.14 In the event that a decline in the water quality of Trout Lake suggests the failure of individual on-site sewage services,[27] it is the intent of this Plan to allow for the extension of piped sanitary sewer services to areas of existing development with frontage on the un-serviced shoreline of Trout Lake within

the rural area in order to reduce existing nutrient loading to Trout Lake. The provision of this sanitary sewer service is intended to reduce nutrient loading from existing shoreline development and is not intended to encourage the creation of new second-tier development. Therefore, new second-tier development access to this service shall be restricted. The provision of sanitary services should also not be interpreted as grounds for relaxing rural standards for either shoreline or second-tier development. It is not the intention of Council to upgrade roads to urban standards or to provide any other urban service which may encourage further year-round development within the Trout Lake Watershed. Council will implement an annual mandatory septic tank pump out program for all lots which front on Trout Lake or on a watercourse that flows into Trout Lake that have septic systems. Council will encourage the development and implementation of new sub-surface sewage disposal technologies subject to the approval of the Provincial Ministry of the Environment.

3.5.15 It is the intent of this Plan to strictly control or limit the nature and extent of development along the shoreline of Trout Lake, including second-tier or backshore development, development on islands in Trout Lake, development along streams flowing into Trout Lake, as identified by the North Bay-Mattawa Conservation Authority on the schedule to the Development, Interference and Alteration to Waterways Regulations and development in the Trout Lake Watershed in general. This will be achieved by generally prohibiting the creation of new lots which front on Trout Lake or on a stream flowing into Trout Lake, enforcing larger setback distances from the shoreline of Trout Lake or a stream flowing into Trout Lake, by discouraging the removal of natural vegetation within the setback zone, by enforcing appropriate stormwater management policies which minimizes flows, erosion, siltation and nutrients, by strictly regulating lot design features through environmental education. The general intent of these measures is to minimize the disturbance of shoreline ecosystems and where they are affected by development, to restore natural ecosystem functions. It is the objective of these controls to maintain or improve the existing level of water quality, to maintain or improve the existing level of aesthetic and recreational qualities and to improve the lake's fishery. The City will work with other groups and agencies to see that programs and regulations under their respective jurisdictions are implemented to achieve these same objectives.

a) Studies indicate that there are already enough lots or parcels of record with frontage on Trout Lake and on streams flowing into Trout Lake to seriously impair the existing water quality of Trout Lake if full waterfront development occurs by way of conventional means and planning policies. Water quality deterioration may even be serious enough to cause the City of North Bay objectives of maintaining or improving existing water quality to be compromised if such full

development occurs. This deterioration would be experienced over many years as new development occurs and as the effect of existing development is realized. Such deterioration could also negatively affect other identified resource management objectives.

b) Therefore, it will be the policy of Council to continue to prohibit the creation of new lots or dwelling units by Consent, Plan of Subdivision or Plan of Condominium along the un-serviced shoreline of Trout Lake over the next five (5) year review period. The prohibition on lot creation also applies to lands within 300 metres of the One Mile Bay and Four Mile Bay basins, major inflowing streams and watercourses flowing into Trout Lake as identified by the North Bay-Mattawa Conservation Authority and to further prohibit the creation of any new lot within 300 linear metres of the un-serviced shoreline of Trout Lake on lands deemed to constitute "second tier" or "back lot".

c) New lots may be created in keeping with the policies contained within 3.4 of this Plan from existing Parcels that are considered "second tier" or that have a portion of the original parcel falling within 300 metres of the un-serviced portion of the Trout Lake shoreline or a major inflowing stream, provided that no portion of the lot to be created falls within 300 m of the un-serviced shoreline of Trout Lake or a major inflowing stream.

d) These policies do not encompass the serviced urban residential development located on the westerly limits of Trout Lake. Property owners within the serviced urban residential area along the Trout Lake shoreline shall be required to incorporate maximum building setback distances for development or redevelopment from the shoreline.

e) Property owners, including those along the urban shoreline, shall be required to maintain and preserve natural vegetation and to undertake front yard replanting schemes as outlined in Subsections 3.5.17, 3.5.18 and 3.5.19.

f) For the purposes of this policy, "non-impact lots" are considered to be lots or parcels of record in excess of 300 metres from the Trout Lake shoreline or any major inflowing stream to Trout Lake as identified by the North Bay-Mattawa Conservation Authority. Any proposal for "non-impact" residential development within the Trout Lake Watershed shall be accompanied by the types of technical justification studies and analyses identified in 3.5.16.

g) Additional residential dwelling units are not permitted within 300 metres of the un-serviced portion of the Trout Lake shoreline or major inflowing streams. *[Added by OPA #30]*

3.5.16 Notwithstanding other policies in this section, when an application is received for an Official Plan or Zoning By-law Amendment that would result in the development or redevelopment of a parcel or lot of record for a more intense use or for new lot creation in the Trout Lake Watershed, as identified on Schedule 1 or 2 to this Plan, by Consent, Plan of Subdivision, or Plan of Condominium, in an area not affected by 3.5.15 or for development or redevelopment on an existing lot or parcel of record in an area not affected by Site Plan Control, that such an application may, where required by the City or the appropriate regulatory agency, be accompanied by:

a) An erosion control and drainage plan which indicates how stormwater management principles will be incorporated into the lot and/or plans design;

b) A report which states how existing vegetation will be protected or enhanced for the purpose of runoff and nutrient control. Disturbance by cutting, excavation, or removal of existing natural vegetation shall be restricted to a maximum of 10% of the area within 15 metres of the shoreline of Trout Lake or its tributaries;

c) A soils report which identifies site soil characteristics, including soil type, depth, leaching characteristics, depth to water table and mitigation measures for any soil deficiency related to a proposed use. This report should be verified by a soils analyst or consultant with demonstrated competence in soils analysis;

d) An impact study which shows the impact of the proposed use on water quality and how this impact can effectively be minimized. This study should be sent to the appropriate regulatory agency for review and comment;

e) A fisheries habitat assessment of the existing shoreline or stream with recommendations on how the existing habitat conditions can be preserved and/or enhanced. This report should be sent to the appropriate regulatory agency for review and comment;

f) A screening plan showing how proposed uses will be screened from view or how the existing aesthetic landscape of the waterfront will be preserved; and

g) Any additional technical justification studies or analyses to identify or mitigate potential air, soil or water pollution risks arising from the proposed industrial, commercial or institutional use of such lands, where requested by the appropriate regulatory agency.

3.5.17 It is Council's intention to preserve and protect from construction or development of buildings or structures the lands within 30 metres of the shoreline of Trout Lake or any stream flowing into Trout Lake, within the rural area.

3.5.18 Natural shoreline and stream bank vegetative communities provide a variety of water quality and habitat benefits which include, but are not limited to, the following:

a) uptake of nutrients;

b) the entrapment of nutrients contained in runoff;

c) prevention of shoreline and stream bank erosion, and

d) the provision of shade and cover for aquatic life.

3.5.19 Cultivated vegetative communities comprised of lawns and gardens are far less effective due to the low density of vegetation and the single storey of vegetation.

a) Lawns provide little or no benefit due principally to their shallow root structure and lack of woody stems for long-term storage of nutrients. Inappropriate practices associated with typical lawn care such as the use of fertilizers, herbicides, and pesticides have a negative impact on water quality and are strongly discouraged.

b) It is, therefore, critical to preserve and enhance the natural shoreline vegetative community within the 15 metres immediately abutting the shoreline for the above-noted reasons and as an effective visual screen for aesthetic purposes.

c) The Plan recognizes that many property owners residing on water bodies are desirous of unobstructed access and site vistas to the water. Limited removal of the vegetative zone will be considered on a lot by lot basis in order to permit a cleared landscape corridor within the natural vegetative buffer up to a maximum of 4 metres width from the shoreline. Removal of any portion of the vegetative buffer will require the prior approval of the Managing Director of Community Services or their designate.

d) Certain maintenance of the natural vegetative buffer may be undertaken such as the removal of snags, dead trees and noxious plants. Replanting with trees, shrubs and/or flowers native to this area is required.

e) Where the natural vegetative community has been removed or disturbed by construction, replanting of trees and shrubs of a species and caliper suitable to the City is required.

3.5.20 It is Council's intention to limit the density of development to reduce the impact on Trout Lake. Residential or seasonal residential lots fronting on Trout Lake within the rural area will be limited to 16 lots per kilometre of lake frontage or to 2.5 lots per hectare.

3.5.21 Most existing lots or parcels of record with frontage on Trout Lake or on a watercourse flowing into Trout Lake within the rural area do not meet the above standards and, therefore, special procedures are required for Council or it’s designate to deal with applications for Minor Variance.

a) Most existing lots or parcels of record with frontages on Trout Lake or on a watercourse flowing into Trout Lake within the rural area do not meet the lot frontage or lot area standards prescribed in the Comprehensive Zoning By-law. In those cases where either:

i) development of an existing vacant lot or parcel or record having less than the required frontage or lot area is proposed, or

ii) the repair, renovation or reconstruction of an existing structure on an existing lot or parcel of record has the effect of enlarging the footprint of the building, the owner shall be required to seek approval by way of an Application for Minor Variance as described in this section of the Plan.

b) Past research shows that Trout Lake is an intricate system of living and non-living components which represents a highly valued community resource. It is imperative that individuals living near or using Trout Lake continue to act responsibly to minimize the impacts of their activities on the shoreline, lake water quality and the fishery. The largest potential impact to the lake may come from redevelopment of existing lots and parcels of record which are generally undersized or do not meet current development standards including required setbacks and vegetative buffer zones. The critical area for the maintenance of existing vegetation or for replanting of new trees and shrubs is located between the shoreline zone (at the water's edge) and the riparian zone (the land closest to the shore).

This area is located in the first fifteen (15) metres from the shoreline inland. Vegetative communities located within this first fifteen (15) metres are integral to the maintenance and enhancement of water quality and aquatic habitat. These shoreline vegetative communities contribute to improved water quality and fish habitat enhancement by efficient uptake of nutrients, removal of sedimentation due to storm water runoff, prevention of shoreline erosion and provision of shade and cover for aquatic life. Planting or replanting shall occur at a density and maturity of plant specimens to the satisfaction of the Municipality and appropriate to this climatic zone.

c) When Council or its designates receives an application for Minor Variance, which would result in the development or the redevelopment of an existing lot or parcel of record with frontage on Trout Lake or on a watercourse flowing into Trout Lake, the following special procedures should be followed:

i) The minimum period for a notice of public meetings to hear the above application shall be 28 days

ii) In order to ensure the goals and objectives for the Trout Lake area are met, Council shall consider the comments of the following agencies or their delegate, prior to making a decision on an application:

a) Secretary-Manager, North Bay-Mattawa Conservation Authority;

b) the Managing Director, Community Services Division, City of North Bay;

c) the City Engineer, City of North Bay.

d) Prior to making a decision on an application for a Minor Variance in the Trout Lake area, members of Council shall endeavour to inspect the site of the proposed development or redevelopment. Inspections should be carried out when a visual and technical assessment can be made, which would preclude periods when deep snow cover obscures ground conditions.

e) A Minor Variance which would result in development or redevelopment on any existing lot or parcel of record should only be approved when at least three of the following six criteria are met:

i) a minimum frontage of 61 metres;

ii) a minimum lot area of four-tenths of a hectare (0.4 ha);

iii) a minimum setback for new habitable buildings and all sub-surface septic systems of 30 metres;

iv) all habitable buildings are connected to municipal sanitary sewer services;

v) all habitable buildings are incorporated into a mandatory annual septic tank pump out program; and

vi) filing of a suitable Site Plan to illustrate either maintenance of the shoreline vegetative buffer zone or a replanting and rehabilitation scheme for the shoreline vegetative buffer zone.

f) Of particular concern in any Minor Variance application considered are those situations contemplating the redevelopment of existing undersized lots. Great care should be taken to assess the total percentage of the lot to be covered by buildings, whether they are principal or accessory uses and structures.

g) Council or its designate may consider an Application for Minor Variance where the Applicant is not able to satisfy three of the six criteria set out in e) but where the Applicant is able to demonstrate that the Minor Variance would result in redevelopment of an existing lot or parcel of record in a manner that would provide a net improvement to water quality. To demonstrate a net improvement to water quality, the owner will be required to retain a professional with appropriate, demonstrated expertise, to the satisfaction of the City, to undertake the requisite justification studies.

h) All lands not on fully piped sanitary services along the shoreline of Trout Lake to a depth of one lot deep or 46 metres, whichever is greater, and all lands with frontage on a watercourse flowing into Trout Lake as identified by the North Bay-Mattawa Conservation Authority on the schedule to the City of North Bay Development, Interference and Alterations to Waterways Regulations are designated as a Site Plan Control Area.

*Site Plan Control*

3.5.22 When an application is received for the development or redevelopment of a lot or parcel of record within the proposed Site Plan Control Area, the application shall be accompanied by:

a) A Site Plan, drawn at scale acceptable to the City, which will provide City and agency staff with checklists and explanatory text in order to develop appropriate Site Plan Controls respecting the following:

i) the siting of sewage disposal systems and their individual components;

ii) the siting of water supplies, particularly drilled or dug wells;

iii) proposed site drainage;

iv) house and building siting, including accessory buildings, docks and similar structures;

v) parking areas and the surfacing thereof;

vi) requirements for protection of natural vegetation and/or re-vegetation (including trees and shrubs appropriate to this climatic zone);

vii) the approximate location of all natural and artificial features on the subject land including but not limited to, roads, drainage ditches, wells, watercourses, banks, slopes, swamps, wooded areas, and large bedrock outcrops; and

viii) all easements and utility corridors.

b) A cross-section plan which shows proposed final grade elevations from the water's edge to the back lot line, including all areas to be excavated and/or filled, as well as the location of all erosion control features; and

c) A stormwater management and landscaping plan which shows where existing vegetation will be disturbed and/or removed, including selective cutting and shoreline alterations; all areas to be vegetated, including a description of the vegetation to be planted; the location of all site erosion control features, and an indication of final site drainage with details of specific drainage features. Disturbance by

cutting, excavation, or removal of existing natural vegetation shall be restricted to a maximum of 10% of the area within 15 metres of the shoreline of Trout Lake or its tributaries.

d) When deemed necessary due to steepness, terrain conditions, or the nature of the proposal, Council or its designate may also require additional site information prepared by a professional, with appropriate, demonstrated expertise, to the satisfaction of the City, for a lot within the Trout Lake Site Plan Control Area, which may include:

i) A soils report which identifies site soil characteristics, including soil type, depth, leaching characteristics, depth to watertable, and mitigation measures for any soil deficiency related to a proposed use;

ii) An impact study which shows the impact of the proposed use on water quality and how this impact can effectively be minimized;

iii) A fisheries habitat assessment of the existing shoreline or stream with recommendations on how the existing habitat conditions can be preserved and/or enhanced; and

iv) A screening plan showing how proposed uses will be screened from view or how the existing aesthetic landscape of the waterfront will be preserved.

*Boathouses, Boat ports and Floatplane hangars*

3.5.23 The appropriateness of one-storey boathouses and floatplane hangars should be based on lake character and resource use of the littoral zone, including fish habitat. A policy on shoreline structures needs to be included in the Official Plan for the following reasons:

a) shoreline structures, especially boathouses, cannot be visually screened like cottages;

b) boat ports are more open than boathouses and do not obstruct views from the shore or result in crowding, especially in areas of narrow frontages;

c) the use of roof sundecks can create an intrusion of privacy in areas of small frontages;

d) the lake bed of the littoral zone is reduced for use as fish habitat and spawning beds by cribs that support shoreline structures; and

e) large frontages have the flexibility to site structures away from sensitive fish habitat.

3.5.24 The policy for Trout Lake boathouses, boat ports and floatplane hangars on the shoreline or in the littoral zone shall be as follows:

a) shoreline structures, including single-storey boathouses, boat ports (without roof sundecks) and floatplane hangars shall be limited to a maximum width as regulated in the Comprehensive Zoning By-law;

b) a second storey addition for any purpose shall not be permitted; and

c) interior finishing or occupancy of any portion of a boathouse, boat port or floatplane hangar as a dwelling unit shall not be permitted.

*Floating Structures, Cribs and Docks*

3.5.25 Floating structures, cribs and docks also have a potential for impact on fish habitat and the visual amenity of Trout Lake. The following policies shall apply:

a) structures of less than 15 square metres in area shall be reviewed by staff from the City and the North Bay-Mattawa Conservation Authority;

b) structures over 15 square metres shall require work permits from the appropriate regulatory authority;

c) the use of pressure-treated materials in construction should be limited;

d) crib or dock structures shall be constructed so as to minimize disturbance to the lake bottom;

e) construction work shall follow best management practices and shall not be conducted during the spawning and nursery periods for fish species.

*Water Access Only*

3.5.26 Before approving Plans of Subdivision for development in areas that are accessible only by water and within the City limits, Council shall be satisfied

that provision has been made in adjacent areas accessible by automobile for:

a) adequate automobile off-street parking for each lot in the subdivision;

b) boat docking; and

c) garbage disposal.

It should also be ascertained that suitable public access shall always be available.

*Minimal Impact Lots*

3.5.27 As of January 8, 2001,[28] the City may allow the creation of up to 23 new minimal impact lots within the watershed of Trout Lake to facilitate the studying of phosphorus abatement septic technology or technologies through municipal pilot testing. The City may contribute resulting information from the City's pilot testing to the Province for the Province's use, if appropriate, for the Provincial Phosphorus Removal Technology Pilot Program. The new minimal impact lots must meet other rural or lakefront residential policies as set out in this Plan and all development approvals must be obtained.

3.5.28 A “minimal impact" lot under this policy is defined as a conventional lot that is developed using best management practices, to the satisfaction of the City, in an effort to reduce the phosphorus impact of the development. These best management practices include, but are not limited to, the following:

a) A surface drainage plan that mitigates increased erosion and sedimentation for the purposes of significantly reducing phosphorus output due to increases in lot coverage, new driveways and entrances, roof drains and loss of vegetation;

b) installation and monitoring of phosphorus removal septic technology;

c) maximum available setbacks for tile beds and mantles;

d) provision of 30 m vegetative buffers/nutrient uptake zones; and

e) site plan control agreements to incorporate the best practices, including a prohibition against fertilizing lawns.

3.5.29 The objective of the City's best management practices is to achieve development where the total phosphorus impact of the whole development

would be equivalent to or less than the total phosphorus impact if the original parcel were developed as a single lot serviced by a conventional septic system in the Rural or Lakefront Residential designation.

3.5.30 These 23 lots will be counted as individual development lots in the context of the provincial Lakeshore Capacity Model and will reduce the remaining development capacity that the province has identified for Trout Lake as a contingency and to protect against the technology failing to meet objectives in the continuum of time or from an owner removing the technology from service.

## 3.6 Rural Mobile Home Parks

3.6.1 It is the intent of this Plan to prohibit new mobile home parks within the rural planning area. Existing mobile home parks that are already zoned will continue to be recognized in the Comprehensive Zoning By-law.

3.6.2 The Rural Mobile Home Park located on that certain parcel of land, more particularly described as part of the southerly half of Lot 35, Concession 12 in the former Township of West Ferris in the City of North Bay, shall be limited to not more than twenty-four (24) units.

## 3.7 Rural Commercial

The Plan anticipates that commercial and service uses, such as service stations, motels and retail outlets may, from time to time, seek to establish in the rural area without municipal services. Such locations are not predictable and approvals for these uses will require an amendment to the Official Plan and Comprehensive Zoning By-law. These amendments will define explicit regulations under which such uses may be established.

3.7.1 In considering applications for such amendments, the City will have due regard for the possible impact on adjacent residential uses, and will impose appropriate conditions regarding setbacks and buffering, and limitations on access to roads and highways. Such uses will be permitted, provided that:

a) they primarily serve the needs of the rural area or the traveling public;

b) the location of any proposed commercial or service use along a Provincial Highway in the Rural Area shall require the approval of the Ministry of Transportation;

c) wherever possible, they are located in groups and not scattered along roads such that ribbon development is encouraged;

d) dwelling units for the resident owner either as single detached units or in the second storey of the commercial use (except for automobile service stations) shall also be permitted;

e) lighting and other surface utilities shall be carefully sited and advertisements shall be in keeping with good design and highway safety practices in order to maintain the appearance and safety of the area and to limit the impact on other surrounding developments;

f) off-street parking and off-street loading facilities shall be provided in an amount adequate to serve the commercial use; and

g) adequate buffering shall be provided between the proposed commercial use and any adjacent residential uses. Such buffering in the form of a strip of land shall be devoted to no purpose other than landscaping.

Rural Commercial Waterfront Uses

3.7.2 Existing commercial uses that serve the boating and water based aircraft users on Trout Lake and Lake Nipissing are recognized in the Comprehensive Zoning By-law.

3.7.2.1 New commercial uses in Delaney Bay in Trout Lake will be discouraged because of the proximity to the City's water treatment plant intake.

3.7.3 In evaluating amendments to the Comprehensive Zoning By-law for new waterfront commercial uses, Council shall be satisfied that the following factors have been taken into consideration and appropriate studies completed:

a) access to a year-round publicly maintained road;

b) water supply and sewage disposal permits or approvals from the appropriate regulatory authority including confirmation of reserved sewage capacity for the hauled sewage at a licensed facility and that a licensed hauler is available to transport the waste[29];

c) adequate automobile off-street parking;

d) garbage disposal;

e) boat or marine aircraft docking or slips;

f) appropriate measures to protect the water quality;

g) grading or fill permits from the appropriate regulatory agency;

h) A soils report which identifies site soil characteristics, including soil type, depth, leaching characteristics, depth to watertable, and mitigation measures for any soil deficiency related to a proposed use;

i) An impact study which shows the impact of the proposed use on water quality and how this impact can effectively be minimized;

j) an archaeological assessment in accordance with 4.3.8, and a preliminary natural heritage assessment and a subsequent environmental impact study in accordance with 4.1 should the preliminary study show that these features and areas exist;[30]
(subsequent subsections renumbered to subsection 3.7.4)

k) A fisheries habitat assessment of the existing shoreline or stream with recommendations on how the existing habitat conditions can be preserved and/or enhanced; and

l) A screening plan showing how proposed uses will be screened from view or how the existing aesthetic landscape of the waterfront will be preserved.

3.7.4 When an application is received for the development or redevelopment of a commercial use within the Site Plan Control Area, the application shall be accompanied by:

a) A site plan which shows the location of all existing or proposed buildings, structures, accessory buildings and the sewage disposal system with indication of accurate dimensions and setback distances from lot lines and from all abutting lakes and streams;

b) a cross-section plan that shows proposed final grade elevations from the water's edge to the back lot line, including all areas to be excavated and/or filled, as well as the location of all erosion control features; and

c) a stormwater management and landscaping plan that shows where existing vegetation will be disturbed and/or removed, including selective cutting and shoreline alterations; all areas to be vegetated, including a description of the vegetation to be planted; the location of all site erosion control features, and an indication of final site drainage with details of specific drainage features.

d) Disturbance by cutting, excavation, or removal of existing natural vegetation shall be restricted to a maximum of 10% of the area within 15 metres of the shoreline of Trout Lake or its tributaries.

Adult Entertainment Parlors

3.7.5 Adult entertainment parlors are a permitted use in a Rural Commercial area. For the purposes of the Plan, an "Adult Entertainment Parlor" shall mean any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to, or designed to appeal to, erotic or sexual appetites or inclinations.

3.7.6 Such uses shall be permitted provided that the following guidelines are met:

a) that these uses are located in freestanding, single use buildings;

b) that adequate on-site parking for the use is provided in accordance with the Comprehensive Zoning By-law;

c) that adequate distance separation for such uses from highways or major roads, institutional and open space uses and any rural residential use are set out in the Comprehensive Zoning By-law.

## 3.8 Restricted Industrial

3.8.1 The Official Plan recognizes that certain industries such as transportation depots, builders' supply yards, heavy equipment, construction and maintenance and storage operations, etc. while not requiring urban services are, at the same time, not rural in character and should not be scattered indiscriminately through the rural area.

3.8.2 The Plan, therefore, designates an area on Schedule "2" just beyond the urban service limits within which Restricted Industrial uses would be permitted, provided they meet the following conditions:

a) prospective industries in the Restricted Industrial area shall clearly demonstrate to the satisfaction of the City that they do not initially or in the future require the provision of any municipal service other than public roads and electricity;

b) the approval of development in such areas shall be contingent upon a Site Plan Control Agreement between the prospective industry and the City that urban services will not be extended to the users of land within the time span of the Plan;

c) all such Restricted Industrial uses shall front on public roads and buildings shall be located close enough to such public roads, providing access to the property to allow for the extension of urban services if they are ever provided beyond the time span of the Plan; and

d) adequate open space shall be provided around any Restricted Industrial use so that a buffer of trees, shrubs or fencing is provided.

e) prospective industries in the Restricted Industrial area should be of a type that do not require large water takings. For the purposes of this section large water takings shall be defined as more than 4,500 litres per day and shall be restricted to those uses in which only the disposal of the domestic waste of the employees is permitted and treated. Industrial liquid wastes, wash or cooling water or process water in individually services areas will not be permitted.[31] The Ministry of Environment's B-7 Guidelines titled "Incorporation of the Reasonable Use Concept into Groundwater Management Activities"

will be used as a resource when reviewing restricted industrial development in the rural area.

f) To ensure that the development of new employment lands are designed in a manner to avoid public health and safety concerns and to minimize the risk to public health and safety, the Ministry of Environment's D-Series Guidelines for Land Use Compatibility will be used as a resource for the review of new industrial development.[32]

3.8.3 In areas designated for Restricted Industrial Uses, permitted ancillary commercial uses will be limited to administrative offices directly associated with and integral to the principal industrial use.

## 3.9 Rural Institutional

3.9.1 Institutional uses not requiring City services that demonstrate a need to be located in the Rural Area, instead of the Settlement Area will be considered by way of an amendment to this Plan.

# PART 4: ATTRACTIVENESS & SUSTAINABILITY

There are many factors which make the City of North Bay a great place to live, work and play. The social, cultural and environmental quality of the City provides a landscape for the enjoyment of local residents and visitors and helps to drive the local economy.

As the City continues to grow and develop, there will be opportunities to maintain and enhance the community's quality of life. The City will continually be challenged with meeting the needs of today's citizens, without compromising the ability to meet the needs of future generations.

This section of the Plan will provide policies to guide our growth and development by integrating social, environmental and economic principles that will continue to enhance North Bay's attractiveness to ensure a strong and vibrant community.

Developing quality of place and lifestyle for the City of North Bay involves the designation of lands through this Plan for a variety of facilities including parks, conservation areas, schools, libraries, housing options, cultural facilities, arts and entertainment, and employment and commercial opportunities, while maintaining an attractive built environment.

It is also the intent of this Plan to provide a framework for growth and development that protects public health and safety. This includes the identification of environmental constraints, flooding hazards, waste disposal sites, contaminated lands and noise, vibration and odours.

The City will use its powers under Site Plan Control to ensure good design of commercial, industrial, high and medium density residential developments including appropriate landscaping.

During the review of development applications the City will consult the Provincial Policy Statement 2005 or any successor policy documents, to ensure that the end use as a result of a Planning Act application is consistent with the Provincial Policy Statement 2005.

Where known, it is the purpose of this Plan to show natural heritage features and areas on Schedule 3[34a]. Lands with known occurrences of[34b] endangered or threatened species are not shown for the purpose of confidentiality as prescribed by the Ministry of Natural Resources. Where development is proposed near identified natural heritage features no disturbance of the lands shall be permitted prior to the preparation and acceptance of an environmental impact study by a qualified professional. Where development is proposed near endangered or threatened species, the necessary review and study, as required by the Ministry of Resources and by statute, shall be required prior to planning approval being given.

## 4.1 Parks and Open Space

The City of North Bay has a wide variety of parks, open space and natural amenities within its boundaries. It will be the intent of this Section of the Plan to clearly identify the difference between Parks and Open Space and through the assistance of the inventory developed as part of the Parks Plan Update 2009 to designate those properties which the long-term intent is to maintain Park and/or Open Space uses on the property.

Parks and Open Space provide areas within the community that generally enhance the quality of life of both the residents and visitors to the community by providing active and passive recreation opportunities. They are also areas where people can gather to enjoy recreational pursuits and community events; they provide important environmental functions; and provide both natural and developed landscapes for neighbourhoods.

Trails and Active Transportation provides an important aspect to Parks and Open Space. The Trails and Active Transportation Strategy 2008 has been developed by Parks, Recreation and Leisure Services Department, through broad consultation with other City departments and the community and adopted by Council. The Strategy reflects existing and future proposed trails and walkways within the community. It is the intent of this Plan to incorporate this Strategy and consider it in relation to new development proposals to ensure that Trails and Active Transportation Systems are maintained and enhanced where possible.

All development applications shall be reviewed with respect to the Trails and Active Transportation Strategy 2008 and the Parks Plan Update 2009 and, where possible, linkages to existing trails will be encouraged or required through Parkland Dedication under the *Planning Act*.

There are many recreational areas, including both publicly and privately owned land that are not within the control of the City of North Bay. These areas include: Laurier Woods, Laurentian Ski Hill, Department of National Defense track and field, water routes, snow machine trails and Nordic Trails, which are open spaces that are widely used by the public. These areas contribute significantly to the City-wide park area, even though it may not be identified in Appendix B to B-9.

When designing or improving multi-use pathway systems, the City shall refer to the Infrastructure Background Study – Transportation documents, and any design guidelines and standards that may supersede this document.

4.1.1

4.1.1.1 The following policies will help guide Parks, Open Space and Natural Environmental considerations through the City:

a) The Parks Plan Update 2009 and Trails and Active Transportation Strategy 2008 will provide the basis for future park location and trail walkway location throughout the community;

b) The North Bay Escarpment should be protected by defining the area to be protected;

c) Develop and maintain a balanced distribution of Parks and Open Space designation across the planning districts. Parks and Open Space designations may include City of North Bay lands, as well as Conservation Authority property, school property, Crown land, and in some instances, privately owned property;

d) Support the formation of partnerships with the public, non-profit organizations and/or the private sector for the provision and operation of recreational facilities and playgrounds where a benefit to the community can be achieved;

e) Retain City owned public accesses to Lake Nipissing and Trout Lake that can be practically used by the public.

4.1.1.2 For the purpose of establishing and providing clarification to the difference between a Park and Open Space, a Park shall be defined as municipally owned property that has been identified in the Parks Plan Inventory of the Parks Plan Update 2009, that has an associated development or maintenance strategy either for current or future use, and forms part of the Parks By-law.

4.1.1.3 Open Space is a land use designation for the purpose of this Plan that shows land that is available for the full spectrum of passive and active recreational activities that are owned either publicly or privately within the Settlement and Rural areas of the City.

4.1.1.4 Parks and lands designated Open Space that are intended to serve the entire community or planning district are designated on Schedule 1. Where lands are designated open space, this Plan does not indicate that this land will necessarily remain as open space indefinitely, nor shall it be construed as implying that open space areas will be purchased by the City. If proposals to develop lands designated open space are made, and the City does not wish to maintain the open space, then an application for the re-designation of such land for other purposes will be given due consideration by the City.

4.1.1.5 For the purposes of a Planning Tool, Appendices B to B-9 have been included in this Plan to enable good open space planning between separate public bodies, being the City of North Bay, the North Bay-Mattawa Conservation Authority and school boards.

Public Ownership

4.1.1.6 Development is generally prohibited in public Parks and Open Space except for accessory buildings and other compatible structures.

4.1.1.7 Undeveloped and developed school board properties are recognized for the role they play in the provision of parks and open space in the community. Should a school board property be offered for sale, the City of North Bay will review the Trails and Active Transportation Strategy 2008 and the Parks Plan Update 2009 to determine if the property or a portion of the property is required for park, open space or other municipal purposes. A decision by Council will be dependent on municipal resources available for purchase and ongoing maintenance.

4.1.1.8 Properties necessary to complete the parkland system will be acquired through land dedication, land exchange, lands purchased with funds from cash-in-lieu-of-parkland dedication or expropriation, where municipal resources permit.

4.1.1.9 The following policies apply to Parkland Dedication:

a) As a condition of the approval of a Plan of Subdivision or consent for residential purposes, the City may require the dedication of land for Park or other recreational purposes, in accordance with the *Planning Act*.

b) In areas where parkland targets have been met or exceeded, or lands being dedicated are unsuitable for Parks or Open Space, the City may require payment-in-lieu of the parkland dedication. Such funds are to be used for the acquisition and improvement of new and existing local parks and recreational facilities.

c) Land dedicated to the City as part of Parkland Dedication will, where appropriate, undergo preliminary site preparation and servicing by the developer, as part of the approval process.

4.1.1.10 Land identified as Parks in the Parks Plan Inventory shall generally not be offered for sale or disposal. Other surplus Park and Open Space land may be considered for sale or exchange subject to the following criteria:

a) there are overlapping service areas;

b) there are no facilities or under-utilization over a period of time;

c) there are no identified heritage resource features present;

d) the lands are located within an area that has an oversupply of existing or planned parkland; and

e) the lands are not needed for future parks or municipal infrastructure requirements.

Recreation and Leisure Needs – The North Bay Escarpment

4.1.1.11 The North Bay Escarpment Conservation Area, as shown on Schedule 3A, provides passive recreation opportunities. If more formal recreational enhancements are proposed the following should be taken into consideration:

a) All recreational activities should be designed and located so as not to conflict with surrounding land uses and be compatible with the natural character of the Escarpment.

b) Trails should be located and designed to avoid, where possible, steep slopes, wetlands, erosion-prone soils, ecologically sensitive areas, significant plant and animal habitats and areas of natural and scientific interest.

c) Trail design, construction and management should ensure the safety of trail users, while respecting the lands in private ownership.

d) Trails should connect to feature areas, including vistas, wherever possible.

Private Ownership

4.1.1.12 Where any lands designated for open space are in private ownership, this Plan does not indicate that this land will necessarily remain as open space indefinitely, nor shall it be construed as implying that open space areas are free and open to the general public or will be purchased by the City. If proposals to develop any such lands that are in private ownership are made, and the City does not wish to purchase such lands in order to maintain the open space, then an application for the re-designation of such land for other purposes will be given due consideration by the City.

4.1.1.13 Permitted uses on privately owned Parks and Open Space may include conservation areas, passive and active recreational uses, agriculture, forestry or other activities where buildings are incidental to the main use.

## 4.2 Downtown Waterfront

The City's Waterfront is recognized as a valued amenity. Together with the Downtown, the Waterfront will be a focal point for the community which celebrates the four seasons in North Bay and provides opportunities for economic development including a revitalized Main Street and recreational amenities as part of a sustainable, accessible urban structure. Together with the policies of this Plan, including the policies of Section 2.2.1.1, Central Business District, the Downtown Waterfront Master Plan provides a detailed strategy for the revitalization of the Downtown Waterfront as identified on Schedule 12A to this Plan, including reinforcing the long standing objective to ensure seamless connectivity between the two areas.

### 4.2.1 Vision

North Bay's Downtown Waterfront will be unified in a comprehensive long-term vision that brings together economic strength, social parity, environmental sustainability, and cultural vibrancy.

### 4.2.2 Guiding Principles

#### 4.2.2.1 Celebrate North Bay History and Indigenous Culture

To recognize the history of the Downtown Waterfront Area and to create welcoming spaces for all residents through diverse programming and new development.

#### 4.2.2.2 Introduce New Year- Round Destinations

Celebrate the four seasons of North Bay by adding new winter and night time uses to complement the popular summer and shoulder season uses that exist today.

4.2.2.3 Support a Mixed-Use Downtown

An economically strong downtown includes people living and working in proximity to the existing retail and recreational facilities. New opportunities for mixed-use redevelopment are identified to increase the number of people living and working downtown.

4.2.2.4 Focus Design on Environmentally Sustainable Buildings, Parks and Streetscapes

All public and private downtown waterfront redevelopment should place sustainability first. Streets, buildings and parks should be constructed with an understanding of the environmental impacts of development and with an aim to reduce those impacts.

4.2.2.5 Encourage Diversity in Building Design and Form

North Bay's downtown heritage character buildings contribute to the unique character of the City. These buildings should be protected and retained. The design of new buildings should be complementary to the existing heritage styles while representing the era in which they are designed.

4.2.2.6 Create a Connected Downtown Circulation Network

The Downtown Waterfront has a walkable and accessible urban structure. Additional pedestrian connections between the downtown and waterfront are encouraged to improve this overall connectivity.

4.2.2.7 Follow an Economically Feasible Approach to Implement the Vision

The strength of the Downtown Waterfront Master Plan is directly tied to its implementation. Priority projects will be selected to maximize the benefits to the community and to match funding opportunities as they arise.

4.2.3 Downtown Waterfront Districts

The Downtown Waterfront Area is identified on Schedule 12A, Downtown Waterfront Districts.

Each District within the Downtown Waterfront is defined based on the existing character of the area, vision for the future and opportunities for redevelopment through a balanced mix of uses. Development should reflect the following General Directions articulated below for each District and conform to the established Height Restrictions (Section 4.2.3.6).

4.2.3.1 General Directions:

4.2.3.1.1 Winter City

Public spaces, streetscapes and buildings should be designed to invite activity in the outdoors, create appealing indoor spaces and encourage a sense of community in all seasons of the year. The creation of facilities specifically for winter use such as a skating trail, winter market and warming huts will be encouraged, as will other supporting elements such as lighting, the orientation of buildings and open spaces which contribute to the usability and vibrancy of winter streets and spaces.

4.2.3.1.2 Connections

The Downtown and Waterfront is bisected by a rail corridor. The creation of a connected public realm to reinforce travel between the two areas and facilitate pedestrian circulation will be a key objective of the City. This may include the implementation of specific strategies identified in the Downtown Waterfront Master Plan such as enhanced lighting, reconfiguration of the existing underpass and the introduction of an overall wayfinding strategy.

4.2.3.1.3 Destinations

The creation of a series of new destinations and the reinforcement of existing uses with complementary uses is encouraged to allow for better connections between centres of activity. This may include implementation of specific proposals identified in the Downtown Waterfront Master Plan such as splash pad, skating trail, new pavilion building, youth and recreation park and cultural park.

4.2.3.1.4 Main Street Revitalization

The revitalization of Main Street between Plouffe Street and Fisher Street is a major objective of the City, including a focus on Main Street between Cassells Street and Sherbrooke Street and Ferguson Street from Main Street to Oak Street. This should include enhanced streetscape treatment to better integrate the downtown with the waterfront.

4.2.3.1.5 Urban Design

The City shall utilize the Downtown Waterfront Urban Design Guidelines as a basis for evaluating development proposals and streetscape plans for both public and private projects in the Downtown Waterfront. The Guidelines are intended to ensure that development visually unifies the Downtown and Waterfront, to encourage design excellence, and to foster a common understanding of the Downtown Waterfront vision. The Guidelines address all season design, wayfinding, environmental sustainability, street design, parking, public building and site design, private building and site design, and public art.

4.2.3.1.6 Height Restrictions

Height restrictions will be implemented through the City's Comprehensive Zoning By-law. Amendments to the Comprehensive Zoning By-law shall conform with the minimum and maximum heights established on Schedule 12C, Downtown Waterfront Permitted Heights, to this Plan and other directions in the Plan including the policies of Section 4.2.3.3, Character Areas.

4.2.3.2 Districts

4.2.3.2.1 Downtown Living District

The Downtown Living District is a mixed-use district with a focus on residential redevelopment.

This area will be developed in a manner which will encourage people to live downtown, attracted by excellent access to amenities like recreation, retail and employment.

4.2.3.2.2 Core Downtown Waterfront District

The Core Downtown Waterfront District will be the heart of North Bay with seamless connections between the Downtown and the Waterfront.

The existing heritage character of Main Street and Oak Street will be retained, while still allowing a vibrant mix of community, residential and retail uses to be introduced in this District.

This District will also accommodate a variety of year-round activities for all ages, interests and abilities.

4.2.3.2.3 Innovation District

The Innovation District is a mixed-use district with a focus on employment and education uses.

To increase business opportunities and stimulate overall economic activity, the existing under-utilized industrial sites will be encouraged to evolve to accommodate mixed-uses with an innovation centre or employment, research or educational uses on the lower floors, and, in some cases, residential uses above.

4.2.3.3 Character Areas

The Downtown Waterfront is further subdivided into six Character Areas as identified on Schedule 12C, Downtown Waterfront Character Areas. The Downtown Waterfront Master Plan provides detailed direction with respect to each Character Area with respect to proposed site programming and building design recognizing the Plan will be implemented over a long period of time and will of necessity evolve to meet the needs of the City and the Downtown Waterfront. However, development in each Character Area should conform with the following general directions.

4.2.3.3.1 Central Waterfront

The Central Waterfront is bounded by the rail corridor to the east, the axis created by Fraser Street to the north, and the axis created by Wyld Street to the south.

It will be the focus for enhanced community life with outdoor and indoor event, dining and cultural spaces. Introducing public and private development in this area of the waterfront is essential to ensure 24 hour activity and vibrancy.

This area is of central importance for the Nipissing First Nation and future programming should include a cultural gathering place celebrating Indigenous culture. Permitted uses may include but are not limited to a Community Hub, community centre, library, information centre, retail spaces, restaurant and artesian studios. Building Heights within the Central Waterfront will be a maximum of two stories.

4.2.3.3.2 Central Downtown

The Central Downtown is bounded by McIntyre Street to the east, the rail corridor to the west, Fraser Street to the north and Wyld Street to the south.

This area is and will continue to be the major mixed use and commercial centre for North Bay as established in the policies of this Plan particularly Section 2.2.1.1.

Infill redevelopment is encouraged, however building heights along Main Street should not exceed four storeys with the exception of the existing permitted ten storeys on Ferguson Street. The height limits will assist in preserving views of the Waterfront and maintain compatibility with the existing heritage character of the area.

4.2.3.3.3 Western Waterfront

The Western Waterfront is bounded by the rail corridor to the east, the axis created by Fraser Street to the south and Tenth Street to the north.

This area will be developed to capitalize on its relationship with the Lake through activities including marina uses and waterfront living. The enhancement of Marathon Beach, the wharf and the marina and the development of a new residential hub will be encouraged.

Development should ensure a minimum setback from the waterfront to ensure continuous public access to the waterfront. Residential and other related compatible uses will be permitted including but not limited to open space, park, community facilities, limited commercial uses such as restaurants and convenience commercial in mixed use buildings and a hotel. The maximum height shall be eight storeys.

4.2.3.3.5 Western Downtown

The Western Downtown is bounded by McIntyre Street to the east, the rail corridor to the west, Fraser Street to the south and Plouffe Street and Murray Street to the north.

This area will complement the Western Waterfront by providing additional residential opportunities in proximity to the waterfront.

Development is encouraged with building heights up to six storeys permitted. Residential development in single use residential buildings is encouraged to increase the number of residential units in the Downtown. However mixed use development with office or

retail on the ground floor and residential above is also permitted to allow residents to live and work in proximity to the waterfront.

4.2.3.3.6 Eastern Waterfront

The Eastern Waterfront is bounded by the rail corridor to the east, Wyld Street to the north and Regina Street to the south.

The focus for this area is recreation with the beach remaining the key focus of activity. Any redevelopment of the existing adjacent industrial sites should support a mix of education, employment and residential uses. The maximum height within this area is two stories.

4.2.3.3.7 Eastern Downtown

The Eastern Downtown is bounded by McIntyre Street to the east, the rail corridor to the west, and Regina Street to the south (excluding the southeast corner of Main Street and Fisher Street) and Wyld Street to the north.

This area will be a focus for education and employment uses. A key objective of the City will be the development of an “Innovation Hub” with an employment cluster of education and research facilities or an innovation centre as an anchor. Employment uses or mixed use development with space for office or commercial uses on the ground floor and residential or employment uses above will be permitted with maximum heights of six storeys. *[Added by OPA #19]*

## 4.3 Heritage and Archeological Resources

The City's rich heritage resources play an important role in identifying and developing the community's quality of place and lifestyle. Heritage resources are natural and man-made features which have historic, cultural, architectural, archaeological, paleontological or natural significance. These features may include elements such as properties, structures, buildings, rivers, ancient waterways and portages, roads, communication corridors and sites or areas including streetscapes, landscapes, cemeteries and burial places.

The City of North Bay lies along an important ancient passageway that was used for thousands of years by First Nation peoples for water transportation and in the historic era it supported the fur trade, early exploration and ultimately the development of Canada. There is a significant archaeological presence along these ancient corridors and many along now abandoned channels in North Bay. Where development is proposed directly abutting Lake Nipissing, Trout Lake[35a], Parks Creek, Chippewa Creek or La Vase River an archeological and/or a marine archaeological[35b] study may be required. The most studied channel is the La Vase River Portage Route between Lake Nipissing and Trout Lake. This route has been identified on Schedule 2 to this Plan.

Where development is proposed on lands directly abutting the identified Portage Route, it should be demonstrated how the aesthetics of the Portage Route will be protected. Site Plan Control will be used to protect these features. It is not the intent of the Plan to prohibit development along lands abutting the Portage Route but to mitigate negative impacts on this area.

The identification of heritage buildings and structures is part of the community's effort to document and celebrate its local history and landmarks. Local heritage also contributes to the unique features which help determine a sense of place. Buildings and sites of historic, architectural, archaeological or cultural significance serve as reminders of the past and constitute important cultural assets within the City. It is recognized that it is not always possible to preserve all buildings or sites of historic, architectural or archaeological value, but their significance should be assessed prior to demolition or alteration.

The *Ontario Heritage Act* is the legislative tool with which municipalities in Ontario can identify and preserve historic buildings, districts and archaeological sites. The Act sets out a prescribed process and criteria for designations, as well as the decision framework for the expansion, alteration or demolition of designated properties as determined by Council.

Council, in cooperation with property owners, may designate, by by-law under the *Ontario Heritage Act*, individual buildings and structures as heritage properties at the initiative of the property owner.

4.3.1 Council may consult with the Municipal Heritage Committee (MHC) in matters relating to heritage conservation.

4.3.2 Through consultation with the MHC, the City will develop, prioritize and maintain a comprehensive database listing of heritage resources having historical, cultural, architectural, archaeological or natural significance, as resources permit. Such a database shall include facilities and sites identified in Federal, Provincial and Municipal heritage inventories.

4.3.3 The following practices will be referenced to support built heritage resources that are recognized by the City:

a) Prevent the replacement, removal or substantial alteration of a building's character-defining elements;

b) Conserve elements of a building which, over time, have become character-defining in their own right;

c) Conserve heritage value by adopting an approach of minimal intervention;

d) Recognize each building as a physical record of its time, place and use;

e) Find a use for a historic place that requires minimal or no change of its character-defining elements;

f) Recognize individual properties or sites with significant heritage value through the placement of a Municipal Heritage Committee plaque;

g) Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention; and

h) Conserve the heritage value and character-defining elements when undertaking expansion or restoration of a historic building or place.

4.3.4 Where feasible, the City may support the Municipal Heritage Committee in supporting a neighbourhood heritage district, at the initiative of the neighbourhood. The type of support may include building and site evaluations, technical assistance and community consultations.

4.3.5 The preservation of buildings and urban spaces of historical, cultural or architectural significance or which contribute to an attractive visual environment should be encouraged by:

a) identifying and recognizing those structures, buildings or sites of historical, cultural, or architectural significance pursuant to the provisions of the *Ontario Heritage Act*, as amended, through the

advice and recommendation of a local Municipal Heritage Committee and other concerned public or private bodies;

b) encouraging public participation in all heritage conservation programs, especially in the recognition of Heritage Conservation Districts and in the preparation of Heritage Conservation District Plans; and

c) passing by-laws, where appropriate, to regulate the height, size and character of buildings in specific locations so as to ensure that significant urban spaces are not destroyed by haphazard redevelopment.

4.3.6 As provided by Section 2.6.3 of the Provincial Policy Statement 2005, where a property is designated, development and site alteration may be permitted on adjacent lands to a designated heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the designated property will be conserved. The successful conservation of a designated property may require that adjacent development incorporate sensitive architectural and site design to be achieved through Site Plan Control.

4.3.7 Development and site alteration may be permitted on lands containing archaeological resources or areas of archaeological potential if significant archaeological resources have been conserved by removal and documentation, or preservation on site. Where significant archaeological resources must be preserved on site, only development and site alterations, which maintain the heritage integrity of the site, will be permitted.

4.3.8 In areas with significant potential for important archaeological resources, an archaeological assessment shall[36] be prepared by an archaeologist licensed under the *Ontario Heritage Act*, to be reviewed prior to the granting of planning approval. All archaeological assessments are to be prepared in accordance with the technical guidelines established by the Province for such assessments.

4.3.9 Where a previously undiscovered site is identified to contain an unmarked burial site or new archeological features, the City will contact the Ministry of Culture. The Ministry of Consumer and Business Relations will also be contacted with respect to the discovery of burial sites and unmarked cemeteries and the procedures set out in the *Cemeteries Act* and associated regulations will be followed. The appropriate First Nation(s) shall also be provided notification. Notification shall be provided to the Algonquins of Ontario for lands depicted on the map included in Appendix E.[37]

4.3.10 The appropriate First Nation(s) shall be provided notification when an archaeological assessment prepared in accordance with 4.3.8 either identifies or shows potential for the identification of burial sites and significant archaeological resources relating to the activities of their ancestors. Notification shall be provided to the Algonquins of Ontario for lands depicted on the map included in Appendix E. [38]

## 4.4 Community Based Urban Design

The purpose of community urban design is to create places that are livable at the pedestrian and vehicular level. The following policies have been developed to guide the City in its review of development proposals.

To enhance the amenity of the City, it shall be the general policy to improve its appearance and convenience, and wherever possible to reduce levels of noise, pollution, land use conflict and other nuisances. In order to achieve this, the following policies, in addition to those in 5.1.8.2 (Employment Lands), related to urban design, are encouraged in development and redevelopment projects.

4.4.1 The five main entrances to the City being Highway 11 North, Highway 17 East, Highway 11 South, Highway 17 West and Airport Road have been identified in the Community Entrance Study as important corridors to encourage attractive development. It was determined through the study that visitor's opinions of a community are heavily weighted on first impressions. Uses encouraged along these corridors will be those that demonstrate commerce, recreation, education, employment and retail. Zoning By-law Amendments along these entrances to the City will be reviewed within this context. Expansion of Legal Non-Conforming Uses will be discouraged. Development and redevelopment along these corridors will be required to enter into Site Plan Control Agreements to achieve good architectural design and landscaping.

4.4.2 New development should face municipal roads. Where it can be demonstrated that the development's viability may be hindered, the front face of the building may face away from the street. Architectural features, site design and landscaping will be required to maintain the integrity of the fronting streetscape.

4.4.3 Adequate buffering shall be required between all uses of land where conflicts may reduce the enjoyment and functioning of each use. Buffering may include:

a) sufficient vegetation in the form of landscaped strips, rows of trees and bushes, and grassed areas;

b) architectural screening such as perforated or solid walls, fences, trellis work or other appropriate structures; and

c) suitable separation of uses by distances between them.

4.4.4 Adequate parking shall be required in clearly defined areas for all uses of land. This shall include parking for owners, residents, employees, customers, and visitors, particularly in the case of apartments.

4.4.5 In addition to the noise and vibration design requirements outlined in Part 4, special restrictions may be required along arterial and other important roads, along railroads and adjacent to the North Bay Jack Garland Airport to provide adequate protection for residential areas and, where necessary, to maintain circulation and traffic flow. Such special restrictions may include:

a) Extra setback requirements;

b) Restrictions on access to these roads from commercial, industrial, institutional uses and multiple family development; and

c) Adequate buffering to screen residential development from roads, railroads or the airport.

4.4.6 Sign By-laws shall be enacted in accordance with the provision of the *Municipal Act*, as amended:

a) to require that a sign, billboard, poster or advertising device be erected or structurally altered only upon application for a permit or license under the Sign By-law; and

b) to establish regulations in the Sign By-law with respect to the construction, location, size, types and number of signs permitted.

4.4.7 Council shall encourage, through development approvals, in all public and private developments, the provision of on-site facilities to maximize access for senior citizens and the physically disabled. Such facilities shall include the provision of designated parking facilities at grade, ramping, alternate at grade buildings access, and appropriate treatment of sidewalks and curb structures at intersections.

4.4.8 Council shall encourage the use of physical design concepts such as a barrier free pedestrian environment in residential or mixed use developments oriented to senior citizens and to the physically disabled.

4.4.9 Council should encourage urban design solutions that enhance winter livability. Such methods may include:

a) fostering building design and orientation to take advantage of climatic conditions and utilizing passive solar heating and cooling techniques;

b) investigating the feasibility of covered sidewalks at key locations;

c) increasing the number of bus shelters at key locations;

d) encouraging landscaping treatments which enhance winter microclimatic conditions and minimize wind chill level; and

e) encouraging the planting of evergreen tree species to increase the amount of winter greenery within the City.

4.4.10 Scenic routes and public views or important human-made features will be conserved by maintaining views and vistas as new development occurs.

## 4.5 Sustainability in Urban Design

The City of North Bay encourages energy efficiency and sustainability in design at all levels. New lot creation and subdivisions should give regard to energy efficiency and renewable energy opportunities. The City supports sustainable neighbourhoods that employ improved insulation, energy star rated equipment and appliances, maximization of the use of passive and active solar energy, light harvesting, geothermal heat extraction, district heating and other forms of renewable energy that can show that they do not create other community issues with noise and/or air quality.

Through good planning over the past four decades, the City of North Bay has achieved an enviable mix and location of employment, residential and commercial lands. In addition to these critical areas, sufficient lands have been set aside for Parks and Institutional areas. All of the above land designations have been purposefully distributed within the City's Settlement Area in a manner that creates a live/work/play balance (Appendix C). By way of an Active Transportation Strategy these same designations are linked by way of public transit and pedestrian/cycling trails.

## 4.6 Natural Heritage[39] (and subsequent subsections renumbered up to Section 5)

The Provincially Significant Wetlands and other development constraint areas in North Bay are shown on Schedule 3A. The Parks Creek Wetland has been eliminated from the designated Settlement Area, as shown on Schedule 1, for the City and redesignated from Industrial uses to Open Space uses by this Plan.

The Province of Ontario through Section 3 of the Planning Act prescribes Provincial Policy through the Provincial Policy Statement. All development and site alteration will be reviewed within the context of the Provincial Policy Statement, 2005 or any companion or successor policy document.

The table below is meant to reflect the current Provincial Policy that relate to Natural Heritage Features as contained within the Provincial Policy Statement. Numerical definitions of adjacent lands may be adapted on a site-specific basis. Through the review of development applications, the City shall ensure that all pertinent policies of the current Provincial Policy Statement are considered. The Ministry of Natural Resources - Natural Heritage Reference Manual will be used as a resource for ensuring consistency with the Provincial Policy Statement.

It is recognized that the current Provincial Policy Statement will be reviewed and updated periodically. It is not the intent of this Plan to be more stringent that the Provincial Policy Statement currently in effect. The Provincial Policy Statement policy below is provided for convenience. This table will be applied according to the current Provincial Policy Statement and will be updated upon notice from the Province of changes to the Provincial Policy Statement.

| Provincial Interests with respect to Natural Heritage Features and Areas | | |
|---|---|---|
| **Component** | **Definition** | **Protection Policy** |
| *Provincially Significant Wetlands* | Wetlands as identified by the Ministry of Natural Resources and designated on Schedule "3A" as Provincially Significant Wetlands. | Designated Provincially Significant Wetland.<br><br>Section 2.1.3 of the PPS - no development or site alteration |
| *Lands adjacent to Provincially Significant Wetlands* | Lands within 120 metres of the boundary of the Provincially Significant Wetlands as designated on Schedule "3A" as Provincially Significant Wetlands. | Requires an Environmental Impact Study (EIS) with development application.<br><br>Section 2.1.6 of the PPS - Development and site alteration will not be permitted unless an EIS demonstrates no negative impacts on natural heritage features or ecological functions. |
| *Significant Habitat of Endangered Species and Threatened Species.* | Defined on a site specific basis through pre-consultation with the Ministry of Natural Resources. | Section 2.1.3 of the PPS - no development or site alteration will be permitted<br><br>Due to the sensitive nature of the data, the habitat of endangered species or threatened species are not shown on the Land Use Schedules. |
| *Lands adjacent to Significant Habitat of Endangered Species and Threatened Species.* | Lands within 120 metres of the boundary of the habitat of endangered or threatened species as identified through consultation with the Ministry of Natural Resources. | Requires an EIS with development application.<br><br>Section 2.1.6 of the PPS - Development and site alteration will not be permitted unless an EIS demonstrates no negative impacts on natural heritage features or ecological functions. |

| | | |
|---|---|---|
| *Significant Areas of Natural and Scientific Interest* | ANSIs as identified by the Ministry of Natural Resources. The City of North Bay has no known ANSI's.<br><br>ANSI's may be identified in future and added by amendment to Schedule "3A" in an overlay designation. | Section 2.1.4 and 2.1.6 of the PPS - where there is known provincially significant areas of natural and scientific interest, development and site alteration will not be permitted unless an EIS demonstrates no negative impacts on natural heritage features or ecological functions. |
| *Lands adjacent to Significant Areas of Natural and Scientific Interest* | 120 metres from any part of the feature for a life science ANSI or 50 metres from any part of the feature for an earth science ANSI. | Requires an EIS with development application.<br><br>Section 2.1.6 of the PPS - Development and site alteration will not be permitted unless an EIS demonstrates no negative impacts on natural heritage features or ecological functions. |
| *Significant Wildlife Habitat* | May be identified in future and added by amendment to Schedule "3A" to this Official Plan in an overlay designation. | Requires an EIS with development application. Section 2.1.4 - Development and site alteration will not be permitted unless an EIS demonstrates no negative impacts on natural heritage features or ecological functions. |
| *Lands adjacent to Significant Wildlife Habitat* | Lands within 120 metres of the boundary of the significant wildlife habitat. | Section 2.1.6 of the PPS - Development and site alteration will not be permitted unless an EIS demonstrates no negative impacts on natural heritage features or ecological functions. |

| | | |
|---|---|---|
| *Fish Habitat* | Identified through pre-consultation with appropriate Conservation Authority, Ministry of Natural Resources or Department of Fisheries and Oceans. Defined as the spawning and nursery areas, food supply land migration areas on which fish depend directly or indirectly for their life processes. | Requires an EIS with development application.<br><br>Section 2.1.5 of the PPS - Development and site alteration will not be permitted except in accordance with provincial and federal requirements. |
| *Lands adjacent to Fish Habitat* | 30 metres from the seasonal high water mark. | Requires an EIS with development application.<br><br>Section 2.1.6 of the PPS - Development and site alteration will not be permitted unless an EIS demonstrates no negative impacts on natural heritage features or ecological functions. |

## 4.7 The North Bay Escarpment

The North Bay Escarpment designation is shown on Schedules 1, 2 and 3A to this Plan. It is a unique natural feature that exhibits steep slopes and considerable natural vegetation. The North Bay Escarpment is a valued natural feature within the urban and rural areas of the City because of its visual prominence, ecological importance and pedestrian trail opportunities. Development is not permitted within those lands designated Escarpment in this Plan.

4.7.1 The Escarpment is formed by the area lying between the toe of the slope to the top of ridge, where the slope exceeds 15% over 100 metres.

Where the Escarpment has been defined by way of field investigation and consultation with property owners and stakeholders, the limits are as laid out in formal agreements entered into by the City of North Bay and/or the North Bay-Mattawa Conservation Authority with affected property owners.

Escarpment boundaries determined by such are more accurate, and for the purposes of interpretation, should be accepted as the limits of the Escarpment.

4.7.2 Where the Escarpment has not been defined by way of field investigation and consultation with property owners and stakeholders, the limits will be verified by the City with technical assistance from the North Bay-Mattawa Conservation Authority using contour mapping, air photo analysis, cross sections of the properties and any other applicable information. In time, the City and the North Bay-Mattawa Conservation Authority will work with affected property owners towards the protection of the Escarpment and where resources permit, the transfer of Escarpment lands to a public body or by way of a park dedication as a result of a development application adjacent to the Escarpment.

4.7.3 There is an "Escarpment Buffer Area", which extends 150 metres of linear measure northerly from the observed top of ridge. Within the "Escarpment Buffer Area" are points of interest, such as old growth trees, ravines, vistas, and at least one large quartz outcrop which are shown on the appendices to this Plan. It is the intent of this Plan to protect these areas adjacent to the brow of the Escarpment as Park land through subdivision application and negotiation processes.

4.7.4 The "Escarpment Buffer Area" will be placed under Site Plan Control by way of a Site Plan Control By-law in order to regulate vegetation, building form, and colour of building materials so that structures are not easily seen from the City below.

4.7.5 Any lands developed within the "Escarpment Buffer Area" should be developed in a manner to maintain a natural, standing buffer of undisturbed mature trees and vegetation to visually screen the development and preserve the existing natural vistas and skylines of the escarpment, as seen below from the Escarpment. A qualified professional acceptable to the City of North Bay, should prepare a study to accompany any Planning Act application to address the development criteria listed below:

a) The cumulative impact of development will not have serious detrimental effects on the Escarpment or other downstream environments (e.g. water quality, vegetation, soil, wildlife, and landscape);

b) The site is not considered hazardous to life or property due to unstable soil conditions or possible flooding;

c) Development meets applicable provincial and municipal regulations including health and servicing requirements;

d) Any development permitted should have a low vertical profile and be designed and located in such a manner as to preserve the natural, visual and cultural characteristics of the area;

e) Where development involves new roads, road improvements or service corridors, their designation and alignment should be in harmony with the Escarpment landscape;

f) Subdivisions, condominiums, consents to sever, minor variances, site plans, signs or other forms of development within the "Escarpment Buffer Area" should be in harmony with and maintain the existing character of the Escarpment landscape. Standing vegetation shall be preserved on an individual lot to the greatest extent possible. Replanting on site may be required in certain areas;

g) The crest or brow and toe of the slope shall be established by means of a site visit by the City staff, and these lines will be plotted on proposed development plans;

h) By way of a Zoning By-law Amendment a minimum development setback from the brow and toe of the Escarpment, and no disturbance of grades or vegetation below the brow and above the toe shall occur;

i) An engineering report shall be prepared by the applicant if the existing or future stability of the slope or ravine is in question;

j) A setback for other development will be established from each side of a stream, riverbed or wetland within the Escarpment Buffer Area necessary to maintain existing water quality. Concerns related to flooding, erosion and slope stability shall be evaluated by the North Bay-Mattawa Conservation Authority.

4.7.6 Where, in the opinion of the City, a potential ground or surface water pollution problem exists, the applicant shall detail, through appropriate studies, the detrimental effects and how they will be minimized.

4.7.7 Development shall be of a scale and intensity that will not adversely affect water quality, quantity and the Escarpment environment. The City may also require that studies be undertaken to justify the need for treatment and the means to mitigate impact on the Escarpment environment.

4.7.8 Disturbance of treed areas should be minimized, and proposed developments in heavily treed areas shall have site plan agreements containing specific management details regarding the protection of existing trees.

4.7.9 Care should be taken to discover unknown, and to preserve known, archeological sites and areas where such sites might reasonably be expected to exist in the “Escarpment Buffer Area”.

4.7.10 Where there are lots of record within the Escarpment designation and they are zoned as to permit development, the development criteria as set out above in Section 4 should be adhered to.

## 4.8 Environmental Protection Policy

For the purposes of this Plan, environmental constraints have been identified on Schedule 3A to this Plan to provide additional specific policy to be considered regarding the presence of an environmental constraint. The purpose of the environmental protection policy is to provide a red flag to decision makers that the underlying land use designation could be constrained because of potential flooding and/or steep slopes.

The Environmental Protection Policy Area schedule shall be read in conjunction with land use Schedules 1 and 2 of this Plan. The associated policy of this Plan must be adhered to regarding lands affected by environmental constraints.

Within the City of North Bay there are areas of low lying, steep or unstable lands which are susceptible to flooding, wave damage, land subsidence, erosion and/or slope failure. These often obscure environmental constraints that expose both life and property to unacceptable levels of risk if development is permitted to occur without protective policies.

Four specific environmental protection areas have been developed to deal with specific environmental constraints within the City of North Bay. These policies have been developed in conjunction with the North Bay-Mattawa Conservation Authority and are as follows:

4.8.1 The **Floodplain One Zone Policy Area** applies in areas of the City where a high degree of the environmental constraint has been identified, but where no engineering studies have been concluded to distinguish floodway and flood fringe areas or where engineering studies have concluded that a floodway and flood fringe cannot be determined.

All areas within the City of North Bay with a probability of experiencing severe erosion during a 100 year period or flooding to the regulatory flood level as identified through studies approved by Council and the North Bay-Mattawa Conservation Authority, and steep slopes along the escarpment in the Urban Area shall be subject to the restriction of this policy, unless some other environmental protection policy supersedes this policy. No land use shall be permitted without the approval of the North Bay-Mattawa Conservation Authority which, due to the nature of the environmental constraint, results in risk of life or increased property damage or which may worsen the existing constraint.

The Floodplain One Zone Policy Area will be mapped in the Comprehensive Zoning By-law when the floodplain has been determined by way of Engineering Studies. No development will be permitted within the Floodplain One Zone Policy Area.

4.8.2 **The Floodplain Two Zone Policy Area** applies in areas of the City where a high degree of the environmental constraint has been identified through

engineering studies and where those studies have defined the floodway and flood fringe in the developed parts of the urban area or where those studies have identified the potential for defining the floodway and flood fringe in undeveloped parts of the urban area. In the latter case, further engineering will be required to define the floodway and to designate permitted land uses.

The Floodplain Two Zone Policy Area applies to lands below the regulatory flood elevation along Chippewa Creek between Thompson Park and Lake Nipissing, as well as to the regulatory floodplain of two Chippewa Creek tributaries known as Johnson Creek and Eastview Creek at the Northgate Square Shopping Mall bounded by Trout Lake Road, Highway 11 and 17 and the Ontario Northland Railway, as well as the spill area between Delaney (Mud) Lake and Circle Lake. This Two Zone also applies to lands below the regulatory flood elevation on Parks Creek between the CPR lines and Lake Nipissing and within the regulatory floodplain of the La Vase River below Riverbend Road. The extent of this area is shown on Schedule 3 to this Plan. All Two Zone Floodplain Policy areas are supported by detailed floodplain mapping. The Floodplain Two Zone Policy has two components; a "Floodway" which must be preserved to pass floodwaters, and a "Flood Fringe" which is not significant to the passage of floodwaters and where development can occur, provided adequate flood protection measures are undertaken. No land use shall be permitted without the approval of the North Bay-Mattawa Conservation Authority which, due to the nature of the environmental constraint, results in risk of life or increased property damage or which may worsen the existing constraint.

The Floodplain Two Zone Policy Area will be mapped in the Comprehensive Zoning By-law when the flood fringe has been determined by way of Engineering Studies. Development within the flood fringe will require hydrological and flood plain engineering studies acceptable to the North Bay-Mattawa Conservation Authority.

4.8.3 **The Large Inland Lake Policy Area** which applies to lands along the shore of Lake Nipissing below the 100 year floodplain elevation including wave uprush of 197.25 m.a.s.l. (647.15 f.a.s.l.) Canadian Geodetic Datum (C.G.D.), excluding those areas where inflowing streams can cause greater flood depths, as indicated on Schedule 3 to this Plan. Not only is flooding a threat to lives and property within the Inland Lake Policy Area, but there is also a risk of ice and wave damage. All land uses are permitted within the Large Inland Lake Policy Area subject to adequate protection from flood, ice and wave damage. When relevant, consideration shall also be given to the effect of the proposed development on accretion or depletion of the shoreline and its impact on adjacent properties. The Large Inland Lake Policy Area is supported by detailed floodplain mapping. No land use shall be permitted without the approval of the North Bay-Mattawa Conservation Authority which, due to the nature of the environmental constraint, results

in risk of life or increased property damage or which may worsen the existing constraint.

The Large Inland Lake Policy Area shall be zoned in the Comprehensive Zoning By-law as if no hazard existed. A by-law shall be passed placing the entire Large Inland Lake Policy Area under Site Plan Control. This area will be identified in the Comprehensive Zoning By-law in order to provide notice that special development criteria apply to this area.

4.8.3.1 Lake Nipissing

4.8.3.1.1 In addition to the policies contained in Section 2, related to the waterfront development uses, the following policies apply to development or re-development along the shoreline of Lake Nipissing, below an elevation of 197.5 m.a.s.l. (648.0 f.a.s.l.) Canadian Geodetic Datum (CGD), excluding those areas where in-flowing streams can cause greater flood depths, the following policies apply:

a) that floodproofing to the regulatory flood elevation as determined by the local Conservation Authority be undertaken, subject to the approval of the local Conservation Authority;

b) that the applicant enter a Site Plan Control Agreement with the municipality regarding floodproofing, ice and wave protection, the site of structures, access, drainage, and the protection of shoreline vegetation.

4.8.3.1.2 There shall be no public obligation to compensate landowners for increased land development costs.

4.8.4 **The Development Constraint Policy Area** which applies to all areas of the City where only preliminary identification of environmental

4.8.5 constraints have been carried out and more detailed assessment is required on a site by site basis to determine permitted land uses.

This area is identified on Schedule 3A to this Plan.

The Development Constraint Policy Area applies to lands with environmental constraints such as flood susceptibility, erosion susceptibility, or other physical characteristics which are severe enough to cause property damage or risk to life, and where information regarding the extent and the severity of the hazard is only preliminary. The boundaries of this area as delineated on Schedule 3 to this Plan have been determined by the North Bay-Mattawa Conservation Authority through air photo interpretation and field examination. Development shall be controlled within the Development Constraint Policy Area by the North Bay-Mattawa

Conservation Authority, through its regulations, and through Site Plan Control Agreements with the municipality. The boundary of the Development Constraint Policy Area may be adjusted based on more accurate information without amendment to this Plan.

The Development Constraint Policy Area shall be zoned in the Comprehensive Zoning By-law as if no hazard existed. A by-law shall be passed placing all Development Constraint Policy Area under Site Plan Control. This area will be identified in the Comprehensive Zoning By-law in order to provide notice that special development criteria apply to this area.

## 4.9 Waste Disposal Sites

4.9.1 The locations of open and closed waste disposal sites are indicated on Schedule 2. No use can be made of closed waste disposal sites for a period of 25 years without the approval of the Minister of the Environment pursuant to Section 46[40a] of the *Environmental Protection Act*.

4.9.2 Development proposed in the vicinity of an existing or former waste disposal site may be subject to hazards. It shall be policy of Council that careful consideration shall be given to potential hazards to development being proposed within 500 metres of the perimeter of the fill area[40b] of an open or closed waste disposal site. Before approving any such application for development or land division, Council will notify the Ministry of the Environment, and upon the recommendation of the Ministry of Environment, may require that the applicant provide studies dealing with groundwater quality, drainage from the waste disposal site, subsurface gases, and animal pests to satisfy the Ministry of Environments D-Series Guidelines.

4.9.3 Council, in consideration with the Ministry of the Environment, may conclude that the proposed development may be subject to one of the above-noted hazards, in which case the application will not be approved unless it is also concluded that effective remedial measures are available and will be undertaken.

4.9.4 Where development is proposed in the vicinity of an existing or former sewage treatment plant, the applicant may be required to provide studies in accordance with MOE's Guideline D-2, Compatibility between Sewage Treatment and Sensitive Land Use.[40c]

4.9.5 New waste disposal sites shall not be permitted in vulnerable areas as shown on Schedule 3B where the activity would be considered a significant drinking water threat. [added by OPA 12]

## 4.10 Contaminated Lands

Development applications for contaminated sites shall be accompanied by a Ministry of Environment acknowledged Record of Site Condition, and, if necessary, a site remediation plan prepared in accordance with the publication “Records of Site Condition: A Guide on Site Assessment, the Cleanup of Brownfield Sites and the Filing of Records of Site Conditions”.

Land adjacent to the Central Business District[41] are permitted to benefit from a Brownfield Community Improvement Plan. The Brownfield Community Improvement Plan should demonstrate how the Central Business District[41] will benefit through the development and redevelopment of the adjacent lands.

## 4.11 Noise, Vibration and Odours

*North Bay Jack Garland Airport*

4.11.1 Certain areas along the axis of Runway 0826 of the North Bay Jack Garland Airport are indicated on Schedule "1" and Schedule “2”[42] as being restricted, because possible noise nuisance from jet aircraft could reach critical proportions in these areas.

4.11.2 In addition to conforming with all other requirements of this Plan, the developer of any residential unit within the Restricted Residential designation shall be made aware of the airport noise problem. The developer shall to inform, in writing, all purchasers and subsequent owners of residential unit that the property in question is in an area where possible airport noise problems may exist, or develop. In addition, the construction of any residence, school, library, church, theatre, auditorium, hospital, nursing home, recreational building, camping or picnic area, shall conform to the Acoustic Design Criteria set out in the Federal Guideline entitled “Aviation: Land Use in the Vicinity of Airports[43].

4.11.3 A detailed analysis of noise reduction requirements related to a particular development will be required, and required noise control features must be established for any building to be constructed in a Restricted Residential Area.

4.11.4 In an effort to protect the safe operation of both civilian and military air traffic at the Jack Garland Airport/C.F.B. North Bay, land uses that will result in an increase in wildlife, especially an increase in bird populations, shall be discouraged.

4.11.5 It is the intention of this plan to restrict residential development within the Restricted Residential Zone, as shown on Schedule 1 and 2 of this plan. No

new lot creation shall be permitted. Infill development may be permitted only when the proponent can demonstrate that there will be no negative impacts on the long term operation of the airport.
*[added by OPA 10]*

*Rail Land/Employment Lands*

4.11.6 Development on lands adjacent to railway or industrial uses shall be protected from nuisance. Noise abatement will be achieved through the siting of buildings, berms, and screen fencing for outdoor spaces. Acoustical insulation and building design will be utilized for indoor spaces to achieve acceptable noise levels. Visual separation, adequate setbacks, and landscaping will be required where appropriate.

4.11.7 Before approval is issued, a noise assessment as provided for in the Ministry of Environment guideline LU-131 “Noise Assessment Criteria in Land Use Planning” should be prepared by an acoustical consultant to address all potential noise sources which may impact on the site.

4.11.8 The acoustical noise study is subject to the review and approval of the City of North Bay.

4.11.9 The acoustical consultant are required to certify that the site plan meets the requirements of the acoustical study and certify that the plans submitted for the building permit are in accordance with the acoustical study.

4.11.10 Developers of residential units shall inform, in writing, all prospective tenants or purchasers that the property is adjacent to an important main line rail operation and that it is in an area subject to noise and vibration caused by these railway operations, that these operations are essential, and that such noise and vibration may be increased in the future due to changing demands or methods of operating.

*Provincial Highways*

4.11.11 The review and studies as required above may be required where lands to be developed abut a provincial Highway and where appropriate, depending on the intended use.

4.11.12 Before approval is issued, a noise assessment as provided for in the Ministry of Environment guideline LU-131 "Noise Assessment Criteria in Land Use Planning" should be prepared by an acoustical consultant to address all potential noise sources which may impact on the site.[44]

## 4.12 Drinking Water Protection

4.12.1 Schedule 3B Drinking Water Vulnerable Areas identifies areas of vulnerability for drinking water sources including Intake Protection Zones (IPZs) and Issue Contributing Areas. Schedule 3B is intended to be used as an overlay to Schedules 1 and 2, where the following shall apply:

*Intake Protection Zone (IPZ)*

4.12.1.1 Within the Intake Protection Zone One (IPZ-1) development, site alteration and proposed land uses that involve the storage of agricultural source material, the handling and storage of non-agricultural source material, the handling and storage of commercial fertilizer and the use of land as livestock grazing or pasturing land, an outdoor confinement area or farm animal yard shall be prohibited in vulnerable areas identified on Schedule 3B, where they would constitute a significant threat as defined in the Source Protection Plan.

4.12.1.2 Any application under the Planning Act shall identify if the property is located within vulnerable areas identified on Schedule 3B prior to acceptance of the application as a complete application.

4.12.1.3 All lands located within the vulnerable area identified on Schedule 3B shall be subject to Site Plan Control including the lands located in the Callander Issue Contributing Area.

*Issue Contributing Area (ICA)*

4.12.1.4 The City will work in partnership with the North Bay-Mattawa Conservation Authority, adjacent municipalities and the Source Protection Authority for the North Bay-Mattawa Source Protection Area, provincial ministries, the Health Unit and other partners to encourage and promote water conservation measures and build awareness of best practices through education and outreach programs in the Issue Contributing Area as identified on Schedule 3B.

4.12.1.5 Development, site alteration and proposed land uses that involve the storage of tailings from mines if the activity is related to a circumstance containing phosphorus shall be prohibited in the Issue Contributing Area identified on Schedule 3B, where it would constitute a significant threat.

# PART 5: IMPLEMENTATION AND MONITORING

This Plan will generally be implemented through the powers given to municipalities and local boards by the *Planning Act*, the *Municipal Act* and other applicable statutes. Its prime effect will be on public works, whose conformance with the Plan is mandatory, and on land use and development which will be regulated through the Comprehensive Zoning By-law and By-law amendments. Secondary plans will apply to individual neighbourhoods.

## 5.1 The Planning Toolbox

This section of the Official Plan outlines the tools that the City can use to implement the policies of the Official Plan. This includes the traditional tools found in the *Planning Act*, such as Plans of Subdivision, Zoning By-laws, Minor Variances and Consents to Sever.

The *Planning Act* also provides tools to help municipalities create new parks, open space and community infrastructure. These tools include parkland dedication, holding provisions, interim-control by-laws and site plan control.

This section of the Plan contains the required authorization and policies for these tools, except for the parkland dedication policies, which are found in Part 4 - Attractiveness and Sustainability.

### 5.1.1 Zoning By-law Laws

The land uses described in the Official Plan are intended to be general in nature and to provide a general direction for the City to grow and develop.

A new Comprehensive Zoning By-law for the City of North Bay will be developed as a tool to implement the policies of this Plan. The Comprehensive Zoning By-law shall establish zones for the development, or temporary holding prior to development, or redevelopment, of the whole of the Planning Area in accordance with the proposals of this Plan.

The purpose of the Comprehensive Zoning By-law is to regulate the use of land, building and structures to ensure that development is well designed, functional and integrated into the urban fabric. The Comprehensive Zoning By-law will implement the guiding principles of this Plan, including sustainable development for a healthy, active and prosperous community.

5.1.1.1 The Comprehensive Zoning By-law and any future amendments to the Comprehensive Zoning By-law shall be consistent with the intent of this Plan. An amendment to the Comprehensive Zoning By-law shall not be approved by the City unless it is shown that such amendment is not contrary to the objectives, policies and schedules set forth in this Official Plan, as amended from time to time.

5.1.1.2 By-laws that are in effect at the time of adoption of this Plan, will be deemed to be in conformity with this Plan until amended or rescinded. Existing uses in compliance with the existing Comprehensive Zoning By-law will be permitted in the new Comprehensive Zoning By-law.

5.1.1.3 In general, the zoning of the City will initially reflect the existing situation as accurately as possible, except where a specific change in land use is proposed in this Plan and the application of general zoning regulations is deemed satisfactory, in which case, an appropriate general zoning category may be used. For the most part, therefore, no zoning amendment will be required for development.

5.1.1.4 Any development that contravenes the provisions of the Comprehensive Zoning By-law shall not be approved except,

a) by the preparation of an amendment to the Comprehensive Zoning By-law, or

b) by the approval of applications for minor variances by the Committee of Adjustment appointed by the Council and which operates in accordance with the provisions of the *Planning Act*.

5.1.2 Legal Non-Conforming Uses

As a general rule, uses that do not conform with the policies of this Plan should, in the long run, cease to exist so that the land affected may revert to a use that conforms with the intent of this Plan and the provisions of the Comprehensive Zoning By-law.

5.1.2.1 It may be desirable to permit the extension or enlargement of a non-conforming use in order to avoid unnecessary hardship provided that:

a) the expansion or redevelopment will not seriously jeopardize the possibility of future developments in their vicinity that may comply more closely with the intent of the Plan;

b) in any such expansion or redevelopment, special efforts are made to enhance the compatibility of the use and to improve amenity and design

c) the expansion or redevelopment is only permitted through an application to the Committee of Adjustment, as permitted by Section 42 of the *Planning Act*.

5.1.3 Holding By-laws

There are instances where the intended use and zoning is known for lands, but development should not take place until specific facilities are in place or conditions are met. The lands may require the extension of municipal services, construction of a road, transportation study, soil remediation or floodproofing before development can occur.

City Council may pass a “holding” Zoning By-law that places an “H” symbol over the zoning and sets out the conditions that must be met before the “H” symbol is removed and the lands can be developed.

These “holding” Zoning By-laws go through the same full public process as other Zoning By-law, but once the conditions for removal of the “H” symbol are met, and the owner applies to lift the “H” symbol, there is no requirement for public meetings or opportunity to appeal to the Ontario Municipal Board, except by the owner.

5.1.3.1 A holding provision may be placed on lands where the ultimate desired use of the lands is specified but development cannot take place until conditions set out in the Plan or by-law are satisfied.

5.1.3.2 Conditions to be met prior to the removal of the holding provision may include:

a) Transportation or servicing improvements;

b) Parks and open space, recreational and community services facilities;

c) Environmental protection, remediation or mitigation measures;

d) Measures to protect natural heritage areas or environmentally sensitive natural features;

e) Professional or technical studies to assess potential development impacts;

f) Phasing of development;

g) Entering into agreements including subdivision agreements or agreements pursuant to Section 41 of the *Planning Act*, to secure any of the matters required to satisfy the conditions for removal of the holding provision; or

h) Measures to protect heritage buildings, properties with archaeological potential and archaeological sites

5.1.3.3 Notwithstanding the land use designations shown on Schedules 1 or 2, zones may be established in the Comprehensive Zoning By-law for areas where changes in land use may be anticipated, as follows:

a) All areas of the City that are still in a non-urban use and for which development would be premature in terms of the staging program of this Plan will be zoned a holding zone in conformity with the land use designation as shown on Schedule 1 to preserve the land until development proposals can be entertained;

b) Development and building permits may be issued on lands zoned with a Holding Zone prior to the availability of municipal services where it can be demonstrated that an immediate demand for municipal services will not be created and which will not hinder the future development of the area for the purpose designated in this Plan when municipal services become available. Development and building permits approved by way of this policy shall be for the limited uses permitted within each holding zone type as specified within the Comprehensive Zoning By-law. For the purposes of this section development does not mean subdivision of land. Only one building permit under this policy can be achieved.

5.1.3.4 Holding provision by-laws legally in effect at the time of adoption of this Plan are deemed to comply with this Plan.

5.1.3.5 All Holding zones shall be subject to Site Plan Control.

5.1.3.6 When municipal services become available, existing development within a Holding zone category shall be required to connect to full municipal services.

5.1.4 Height and/or Density Incentives

Section 37 of the *Planning Act* provides a means by which the City can achieve responsible, balanced growth. The City can pass a Zoning By-law to grant a height and/or density increase for a particular project that is greater than the Comprehensive Zoning By-law would otherwise permit in return for community benefits such as: additional public parking, additional parkland, non-profit arts, cultural, community or child care facilities, public art, conservation of heritage buildings, and transit improvements. Agreements securing community benefits will promote the objectives of this Plan and provide for the needs of the new residents and workers.

It is anticipated that the majority of requests for height and density increases will be in the Central Business District. These requests will be evaluated within the context of the Central Business District policy of this Plan.

Air rights are to be privately negotiated between property owners.

5.1.4.1 Council may, from time to time, pass by-laws to exchange increases in the height or density of a particular development in return for the provision by the developer involved in such facilities, services or other matters Council deems advisable, where such an exchange is in conformity with all other applicable policies in the Plan.

5.1.4.2 Such By-laws will be passed where Council deems it in the public interest to encourage innovative building designs, to provide additional community or open space facilities, or to preserve buildings with unique architectural or historical significance.

5.1.4.3 Where such a by-law is passed by Council, it shall contain detailed development standards and regulations related to the incentive;

a) The By-law shall further set out the conditions which are required to be met by the developer in order for the incentive standards to apply; and

b) As a condition of development, one or more agreements with the municipality will be required dealing with and ensuring the provision of all the facilities, works or matters required related to the incentive.

5.1.5 Site Plan Control

Site Plan Control is an important means of encouraging well-designed functional and accessible development. This involves the City and commenting agencies reviewing plans that show the location, design and massing of buildings, the relationship to adjacent streets and buildings, public access areas, the layout of parking and service areas, site landscaping and other aspects of the development.

Where areas of the City and development is subject to Site Plan Control, Council or delegated staff may approve the plans and drawings, and the owner may be required to enter into an agreement to secure the construction of the project as shown in the plans.

5.1.5.1 The entire City of North Bay is designated as a Site Plan Control Area. One or more by-laws shall be passed setting out specific areas of Site Plan Control by reference to one or more land use designations contained in the Comprehensive Zoning By-law.

5.1.5.2 Council may require the submission of the drawings mentioned in Section 41(4)2. of the *Planning Act* for residential buildings containing less than 25 dwelling units.

5.1.5.3 Site Plan Control will be used to ensure that any new development or redevelopment project is based on sound planning and design principles, with particular emphasis on ensuring that such developments integrate harmoniously with the surrounding area, are attractive, safe, environmentally sound and accessible.

5.1.5.4 Site Plan Control will be used in relation to medium and high density residential, commercial, industrial, and institutional developments and in any special zone within the City.

5.1.5.5 Site Plan Control will be used to control site planning and lot design areas which are susceptible to environmental problems such as erosion, flooding, steep slopes and unstable soil conditions.

5.1.5.6 Site Plan Control will also be used to control site planning and lot design along the shoreline of Trout Lake and along major inflowing streams flowing into Trout Lake to ensure that lake protection measures are implemented.

5.1.5.7 Property owners may be required to provide land for road widening to the extent of the planned right-of-way as shown or as described in the Plan.

5.1.5.8 Site Plan Control may be used for the purposes of regulating architectural style and building materials.

5.1.5.9 Where a change of use of land occurs which results in a new uses or changed uses on the lands existing Site Plan Control Agreements should be amended. If the change of use is contained solely within the building on the said lands an amendment to the Site Plan Control Agreement is not required.

5.1.6 Temporary Use By-laws

At times, it is in the public interest to permit lands to be used for a particular use on a temporary basis, even though the use may not comply with the Official Plan or Comprehensive Zoning By-law. The temporary use could be used as a trial for a new or unfamiliar type of use, or allow vacant lands to be used temporarily for facilities such as a golf driving range or local farmers market. The *Planning Act* authorizes a municipality to pass a temporary use by-law, which defines the area and the duration of the use.

5.1.6.1 Temporary use by-laws may be enacted to permit the temporary use of lands, buildings or structures for a purpose that is prohibited in the Comprehensive Zoning By-law and/or this Plan. Temporary use by-laws may allow a use on a trial basis or the temporary use of a building or property.

5.1.6.2 Council may from time-to-time pass Temporary Use By-laws to authorize the temporary use of land, buildings or structures for a specified time period not to exceed three years, pending the ultimate use for such land, buildings or structures being determined.

5.1.6.3 The Temporary use will:

a) maintain the long term viability of the lands for the uses permitted in the Official Plan and Comprehensive Zoning By-law;

b) be compatible with adjacent land uses, or be made compatible through site mitigation;

c) not have an adverse impact on traffic, transportation or parking facilities in the area; and

d) be suitable for the site in terms of site layout, building design, accessibility, provision of landscaping, screening and buffering and available services.

5.1.7 Interim Control By-laws

Where Council has determined that a Planning Study is required for the Municipality or any part thereof, Interim Control By-laws may be passed for a specified time period, not to exceed two years, in order to ensure that no land use changes are made while the Study is in progress.

Upon completion of the Planning Study referred to above, the Interim Control By-law will be repealed and a by-law will be passed under Section 34 of the *Planning Act*, which will implement the land uses set out in the Planning Study.

5.1.8 Subdivision of Land

The subdivision of land is achieved either by Plan of Subdivision, Consent to Sever or through approval for a Condominium Development proposal pursuant to the *Condominium Act 1998*.

5.1.8.1 New development shall take place by Registered Plans of Subdivision, rather than by individual land divisions by Consent to Sever by the Committee of Adjustment, except where:

a) the creation of a new road allowance is not involved; and

b) the City is satisfied that a Plan of Subdivision under the *Planning Act* is not necessary for the land described in the application for the proper and orderly development of the municipality.

5.1.8.2 Development shall be regarded as satisfactory and shall be permitted to be undertaken, provided that it can be shown that:

a) the development can be satisfactorily provided with roads and all necessary services and utilities;

b) the nature of the development will not over-tax public services, including roads, electricity, water supply, sanitary sewers and storm sewers;

c) the completed development will not prevent the satisfactory future use of other undeveloped areas served by the same facilities outlined in Clauses (a) and (b); and

d) where such development is for residential purposes:

i) existing schools and parks are available and adequate to accommodate the needs of the population likely to live there; or

ii) satisfactory arrangements have been made to ensure that schools and parks serving the area will be made adequate to accommodate the needs of the population likely to live there.

5.1.8.3 Development shall be regarded as unsatisfactory or premature and shall not be permitted to be undertaken where such development:

a) is contrary to the provisions of 5.1.8.2;

b) will involve the extension or provision of public services requiring expenditures of such an amount, or at such a time in relation to its capital budgeting, that the City's financial position will be impacted detrimentally in the opinion of Council; or

c) the nature of the development will over-tax public services, including roads, electricity, water supply, sanitary sewers and storm sewers.

5.1.8.4 All conditions of draft plan approvals must be met within five years after which the draft approval lapses.

a) Council will not extend or recommend the extension of a draft plan approval, beyond five years, unless the developer has demonstrated to the satisfaction of Council that they are making a reasonable effort to proceed in meeting the conditions of the draft approval. At the time of extension, Council may make appropriate modifications to the Plan including the removal or addition of conditions, as appropriate.

5.1.8.5 Final approval or recommendation of final approval to all or part of a draft Plan of Subdivision will occur only if the applicant has entered into a subdivision agreement with the City to the effect that all requirements of the subdivision agreement, including installation of required services, be completed within five years of registration.

5.1.8.6 The subdivision agreement will specify that after the five year period has lapsed, the applicant will not be permitted to install the required services, unless reasonable cause has been shown for not proceeding with development within the prescribed time.

5.1.8.7 Where circumstances require, subdivision agreements may be registered on title as a caution and that the agreement contain a clause prohibiting any sale of lots until permission has been obtained from Council or the caution

has been released for that part of the subdivision containing the lots in question.

5.1.8.8 Council may deem registered Plans of Subdivision or significant portions thereof not to be registered in situations where the conditions of the subdivision agreement have not been met within eight years of registration, as provided by the Planning Act.

5.1.8.9 Council may adopt standards for the development, design, servicing, roads, financing, and other conditions under the subdivision agreement.

5.1.8.10 Where new subdivisions are constructed or where redevelopment projects are undertaken, the City shall require that:

a) Only those trees be cut down that must be removed in order to make room for roadways to be constructed;

b) Lots within the subdivision development are not to be cleared until the construction of new buildings commence;

c) Where there is not a tree in the front yard of a residential property, that at least one of the variety and size specified by the City be provided by the developer of the property, which is to be located off of the municipal road allowance.

d) Where development occurs on an existing or proposed collector road a sidewalk should be constructed on one side of the street through negotiation with the City.

5.1.8.11 Council will exercise its powers under Part Lot Control for development that is desirable and for the purposes of good development.

5.1.9 Property Standards

By-laws to establish and enforce standards for the maintenance and occupancy of property may be passed, so long as there are provisions authorizing its use in the Official Plan. A property standards by-law is used to ensure building structures and land are kept in a structurally sound and safe condition and in good repair.

5.1.9.1 All properties in the City should be kept in a state of good repair and safe for occupancy and use. The safety and maintenance of all properties in the City will be protected though the enactment of property standards by-laws under the *Building Code Act.*

5.1.10 Acquisition of Lands to Implement the Official Plan

Under the *Planning Act*, if an Official Plan includes a provision relating to the acquisition of land, Council may acquire or hold land for the purpose of developing any feature of the Official Plan, and dispose of the land when no longer required.

5.1.10.1 Lands may be held and acquired by the City for the purpose of developing any feature of the Official Plan and any land so acquired or held may be sold, leased or otherwise disposed of when no longer required.

5.1.10.2 Council may acquire the land, building or structures associated with an incompatible use and may exchange land to facilitate its relocation to an appropriate area in conformity with this Plan. Such acquisitions or exchanges will only be made when funds are available.

5.1.10.3 Lands may be acquired for the construction of roads for the appropriate development of a neighbourhood and of the City.

5.1.11 Development Charges

A Development Charges By-law, authorized under the *Development Charges Act* is another means for the City to achieve fiscally responsible growth. The Act permits the collection of development charges on new development in order to meet growth related to capital infrastructure requirements. This ensures that new development pays for itself and that additional capital costs do not fall on existing residents in the form of higher property taxation and user fees. The use of development charges as a capital financing tool is an integral part of addressing some of the City's capital pressures.

5.1.11.1 Development charges should be used to mitigate the City's capital pressures and to assist in providing the infrastructure required by future development in the City.

5.1.11.2 Development charges should be fair and equitable to all stakeholders.

5.1.12 Community Improvement Plans

Community Improvement Plans passed under the *Planning Act* may contain a variety of initiatives and activities, including comprehensive improvement of designated areas, single purpose improvement projects, as well as improvements to individual sites, buildings, or structures.

In designated Community Improvement Project areas, a Community Improvement Plan may be prepared and adopted by Council, providing the City with various powers, some of which would otherwise be unavailable, to address deficiencies or facilitate improvement. The City shall, where appropriate, implement Community Improvement Plans in accordance with the provisions of the *Planning Act* in order to encourage and facilitate private sector investment and desirable redevelopment in certain areas of the City.

5.1.12.1 The City may designate by by-law one or more Community Improvement Project Area(s); the boundary of which may be part, or all, of the City. Community Improvement Plans will be prepared to promote the maintenance, rehabilitation, revitalization and/or conservation of selected lands and buildings facing challenges of transition, deficiency or deterioration or for any other environmental, social or community economic development reason.

5.1.12.2 Community Improvement Plans will be prepared to provide direction regarding one or more of the following:

a) Facilitate strategic and coordinated public investment to repair or upgrade municipal infrastructure, community services and/or public amenity.

b) Allocate public funds, in the form of grants, loans or other financial instruments, to encourage private sector investment in the physical rehabilitation or improvement of private lands and/or buildings including rehabilitation of contaminated properties.

c) Municipal acquisition of lands or buildings and any subsequent clearance, rehabilitation, redevelopment or resale of these properties.

d) Municipal investment to complement the Downtown Improvement Area.

e) Municipal investment to promote the rehabilitation of Brownfield sites.

f) Municipal investment to promote the development and implementation of the Airport Business Park.

g) Promote and encourage new residential developments Downtown and increase density development around existing commercial nodes.

h) Encourage the Downtown to be the focus for economic, employment, and housing opportunities.

i) Improve the design of urban streetscapes to encourage greater pedestrian movement to help create a safer Downtown.

5.1.12.3 When developing a Community Improvement Plan, the following shall be included in the Plan:

a) basis for selection of the area for the Plan;

b) boundaries of the area of the Plan;

c) existing land uses and level of services;

d) natural and built heritage features;

e) the nature of improvements proposed;

f) estimated cost and financing of the Plan;

g) staging and administration of the Plan;

h) revision flexibility; and

i) citizen involvement.

5.1.12.4 Developments that occur as a result of a Community Improvement Plan will be encouraged to incorporate Urban Design guidelines as part of the overall project and may be subject to Site Plan Control.

5.1.13 Early Consultation

The City will use Planning Act Sections Section 22(3.1), 34(10.0.1) or 51(16.1) to permit applicants to consult with Planning Staff prior to the submission of a Planning Act Application under the applicable sections.

Council may enact a by-law that requires early consultation under these sections of the Planning Act.

## 5.2 Managing And Investing In Infrastructure

Managing and investing in existing and future infrastructure for the City of North Bay is an important aspect to future growth and development of the Community.

Infrastructure includes transportation systems, watermains, sanitary sewers, storm sewers, stormwater management and utilities (public and private).

### 5.2.1 Transportation

The economic and social development of a community increases the travel demand imposed upon a transportation network, and often necessitates various mitigation measures that can be employed to allow the City of North Bay to address existing and future traffic mobility problems within the Community.

The following policies will help to achieve the provision of higher quality transportation systems through formalizing procedures and standards regarding the implementation of roadway widening, all way stops, crosswalks, traffic impact assessments guidelines and transit initiatives.

5.2.1.1 To minimize congestion and interference to the flow of traffic, roads in the urban area are classified according to their principal function. The Transportation Schedules which is based upon the recommendations of the *Infrastructure Background Study – Transportation* document is designed to complement the distribution of land uses set out on Schedule 5 and whenever possible major roads and collector roads will not split residential neighbourhoods.

5.2.1.2 To encourage transportation methods other than by automobile, the Trails and Active Transportation Strategy 2008, Parks Plan Update 2009 and Transit Route Mapping as referenced in 4.1 to this Plan, should be consulted when planning and designing new or redeveloped transportation routes within the City.

Road Classification

5.2.1.3 All roads within the urban area shall be classified as Provincial Highways, Arterial Roads, Collector Roads, or Local Roads. Provincial Highways and Arterial Roads are indicated on Schedule “5”.

a) Provincial Highways – In addition to all of the applicable municipal requirements, all development adjacent to or in proximity to a provincial highway is also subject to the safety and geometric requirements of the Ministry of Transportation, and permits of the Ministry of Transportation. Please see Appendix D regarding the Ministry of Transportations policy guidance regarding provincial highways in the City of North Bay.

b) Arterial roads in an urban setting are designed to facilitate the movement of significant traffic volumes of all types at medium and higher speeds. Arterials are intended to connect developments in urban areas and generally are intended to provide a higher service level of mobility though measures such as limited access and greater spacing of intersections. All new and re-developed Arterial Roads shall be equipped with a sidewalk on each side of the road.

c) Collector roads provide land access as well as mobility within residential, commercial, and industrial areas and distribute traffic between other collector, local and arterial roads. These roads can be further grouped into the representative zones they serve and design features will vary mainly based on heavy vehicle usage. All new and re-developed Collector Roads shall be equipped with a sidewalk on one side of the road.

d) Local roads provide access to adjacent properties. As the general function of local roadways is not to provide enhanced mobility, local roadways can be characterized by circuitous routing intended to facilitate privacy, low volumes of traffic and greater pedestrian activity.

<u>Arterial and Collector Route Widening</u>

5.2.1.4 Physical capacity improvements to a roadway network can be undertaken by widening existing critical roadways or by developing new links within a transportation system. Widening activities are a function of the general characteristics of the roadway such as functionality and classification, as well as the physical constraints presented by adjacent land uses.

5.2.1.5 In general, new developments have a greater impact upon the traffic flow conditions of arterial and collector roads roadways as opposed to local roadways. Since the main function of arterials and collectors is to promote mobility, the additional traffic volumes generated by adjacent developments will tend to accumulate along arterial and collector roads. As such, roadway widening considerations are primarily reserved for arterial and collector roads rather than local roads.

5.2.1.6 Using its authority under the *Planning Act* and the *Municipal Act*, the City of North Bay shall acquire land for road widening where necessary and protect the necessary right-of-ways as a planning initiative to allow the implementation of the recommended roadway infrastructure improvements and the construction of future links.

Traffic Flow Improvement

5.2.1.7 As growth and development continues to occur within and around the City of North Bay, the local transportation network will, to the greatest extent, be required to support the additional traffic volumes associated with this growth.

5.2.1.8 In order to mitigate existing and future traffic volumes the City of North Bay shall implement traffic flow improvement measures to address mobility issues within the community, and to encourage travel and land use patterns that optimize the use of the existing transportation network.

5.2.1.9 Engineering investigation, analysis and evaluation processes shall be undertaken that would monitor traffic flow and propose effective and appropriate mitigation measures to address traffic congestion and collisions. Consideration will be given to the development of an overall strategy inclusive of operation improvements, physical modifications, transit initiatives, and land use development pattern management that are consistent with the community goals and the future vision of the City of North Bay.

Pedestrian Crosswalks

5.2.1.10 Through identifying locations that may require enhanced roadway crossings, the City of North Bay will endeavor to improve pedestrian safety and promote pedestrian activity within existing and newly developing areas of the City.

5.2.1.11 The City shall ensure that pedestrian crosswalks are implemented at locations, where warranted, to enhance pedestrian safety, and promote pedestrian mobility and accessibility throughout the community. Crosswalks shall be designed to channel pedestrians to a safe crossing location and to heighten motorists' awareness of pedestrians.

5.2.1.12 When implementing new crosswalks, the City shall refer to the Infrastructure Background Study – Transportation document, and any design guidelines and standards that may supersede this document.

Traffic Impact Assessment and Guidelines

5.2.1.13 Through the development approval process, an assessment of transportation impacts to the municipal road network and transportation systems of the City of North Bay will be required, where warranted.

5.2.1.14 Where a traffic impact assessment is warranted, development applications shall be accompanied by a traffic impact assessment. The traffic impact assessment shall document the impact of the proposed development in order to identify any adverse traffic impacts and propose suitable mitigation measures that minimize such impacts and concerns prior to obtaining approval of such applications.

5.2.1.15 A traffic impact assessment shall be required for amendments to the Comprehensive Zoning By-law, Plans of Subdivisions or Condominium or site plan approval, only where there is a potential impact to the municipal road network.

5.2.1.16 The City, developers or consultants, may refer to the Infrastructure Background Study – Transportation document, or any document which supersedes it, for guidelines related to a required traffic impact assessment.

5.2.1.17 Should any adverse impacts be associated with the proposed development, the proponent will work with the City of North Bay to ensure that suitable mitigation measures will be implemented to minimize these effects and to determine the proponent's responsibility in implementing these measures.

Transit Initiatives

5.2.1.18 The purpose of a transit system is to provide members of the community with an alternate mode of transportation other than the passenger vehicle.

5.2.1.19 The City of North Bay will support transit:

a) Encouraging the increased use of the transit system through a variety of means by way of appropriate design of roadways to accommodate transit vehicles and through the provision of transit related infrastructure including pick up and drop off points and new routes as growth requires.

b) Improving the speed and reliability of transit service by providing transit priority measures and transit operation initiatives that would

lessen the delay to transit vehicles caused by other traffic and traffic control signals without resulting in diminished service levels to pedestrian and vehicular modes of transportation. Transit priority measures will be implemented along transit corridors and at other opportune locations where such initiatives would result in significant enhancements to transit service.

c) Ensure future development has access to transit and is supportive of increasing transit ridership by assuring the layout of the roadway network servicing newly developed areas is designed to facilitate transit routing and ensure reasonable distances to transit stops.

5.2.2 Municipal Services

5.2.2.1 New development within the settlement area, as shown on Schedule 1, should occur on full municipal services.

5.2.2.2 All areas in which urban development and redevelopment are to take place, as designated on Schedule 1, should be provided with municipal water supply and storm and sanitary sewers. Where services are not available, it is the responsibility of the property owner to extend the services.

All sanitary sewers shall be connected to the central collection system and treatment facility. All municipal services shall be completed before any development served by such services is commenced.

5.2.2.3 The Comprehensive Zoning By-law implementing this Official Plan shall prohibit the use of land, buildings or structures for urban purposes where satisfactory roads, hydro-electric power, municipal water supply, sanitary sewers, sewage treatment facilities and storm drainage are not available, accept as provided for in b).

5.2.2.4 A developer shall be permitted to construct services only when such developer enters into an agreement to construct such services to the standards and specifications set from time to time by the City.

5.2.2.5 The Settlement Area shall be divided into a series of service areas based on topographic features. Where sanitary or storm trunk sewers are to be constructed in a service area, the City shall ensure that such sewers are of adequate depth and capacity to serve the development likely to take place in the entire service area.

5.2.2.6 The disposal of storm water and sanitary sewage shall be through two systems completely separated from each other.

Wastewater

5.2.2.7 The City of North Bay will undertake where possible through the development review process, on a prioritized basis, a systematic approach to the improvement of the municipal waste water collection and treatment system in accordance with the needs identified in the Infrastructure Background Study (2008) including:

a) Enforcing City provisions which prohibit the connection of sump pumps and weeping tiles to the sanitary sewer network;

b) Discouraging the construction of cellars and basements in the City's low lying areas;

c) Undertake an assessment of the City's pumping stations;

d) Establishing a sewer pipe replacement / expansion program to improve development potential;

e) Establish policies / by-laws to recover costs related to the improvement of the waste water collection and treatment of infrastructure where such costs are related to growth.

f) Consider the volume of hauled sewage from private sewage systems when determining reserve system capacity at the City's sewage treatment plant.

g) New sewage treatment facilities shall not be permitted in vulnerable areas as shown on Schedule 3B where the activity would be a significant drinking water threat. *[added by OPA 12]*

5.2.3 Stormwater Management

Effective stormwater management is required to provide protection against flooding and erosion, to maintain groundwater recharge areas and stormwater run-off quality, and to provide sedimentation control. Stormwater management requires a coordinated approach involving the construction of works and facilities by both the City and developers. Preference shall be given to stormwater management techniques that are of a more natural character as opposed to hard engineering measures.

Council recognizes that a coordinated and comprehensive approach is required to ensure sustainable growth and development. The Official Plan's stormwater management policies are based on the review and analysis of the City's watershed and drainage conditions as described in the Infrastructure Background Study. The Infrastructure Background Study supports these policies and provides relevant background information

to understand stormwater management issues on a watershed and tributary specific basis as well as on the basis of major and minor drainage systems.

The following policies shall apply when considering development applications:

5.2.3.1 Stormwater management practices will be emphasized in the design of the major-minor drainage systems, with a goal of preserving the hydrologic cycle and focus on source controls.

5.2.3.2 Storm drainage systems shall be designed using the major-minor drainage systems.

5.2.3.3 District stormwater management ponds are preferred over single development neighbourhood ponds. Where district ponds are not constructed at the time a development application is submitted, the City will determine whether the development should provide its own stormwater management features or contribute financially to an offsite district stormwater management pond.

5.2.3.4 For subdivision developments, wetlands and wet ponds will be on land dedicated to the City of North Bay in addition to any lands required to be dedicated for park purposed under the *Planning Act*. Land for dry ponds may be accepted as parkland dedication at the sole discretion of the City of North Bay. The acceptability of these lands as parkland dedication will be primarily based on the need, location, design and usability of the stormwater management facility as a functional park space.

5.2.3.5 All proposed plans of subdivision or condominium, industrial, commercial, institutional and multi-residential site plans shall provide a stormwater management plan and erosion and sediment control measures for review and approval by the City as a condition of development approval.

5.2.3.6 In addition to the implementation of stormwater management policies as an integral part of growth and development the City may proceed with a number of studies and projects on a prioritized basis, as municipal resources permit. The City of North Bay will also participate in the development of a master watershed plan including the development of sub-watershed plans in cooperation with the North Bay-Mattawa Conservation Authority towards achieving integrated stormwater management practices, as resources permit.

5.2.3.7 In order to enhance the existing stormwater management network, the City will also continue to develop and monitor existing publicly and privately owned stormwater management systems, through the development of minimum inspection and maintenance standards.

5.2.3.8 A number of items related to development and enhancement of the City's stormwater management policies were developed in the Infrastructure Background Study (2008). The City will continue to work towards the implementation and preparation of the studies and projects, as City resources permit.

### 5.2.4 Potable Water

The policies that guide the provision of potable water to City residents are based on the comprehensive review and analysis of the City's water treatment, supply, storage and distribution systems which can be found in the Infrastructure Background Study prepared in support of the Official Plan.

The City of North Bay relies on surface water sourced from Trout Lake for its municipal drinking water. Long term protection of this valuable resource from overuse, contamination and from land uses that could threaten or hinder existing and future drinking water supply is essential to maintaining human health, economic prosperity and quality of life. The policies in Section 4.12 will be used in evaluating any development planned within the vulnerable area shown on Schedule 3B. *[added by OPA 12]*

In order to deliver an adequate supply of potable water to meet the needs of existing and future residents and businesses, make optimum use of existing infrastructure capacities, promote efficient water use and minimize waste water flows, and ensure that adequate capacity exists in central water and waste water systems to serve residential and non-residential uses, the following policies will apply to new development:

5.2.4.1 The City will develop and maintain potable water treatment and distribution facilities in accordance with all provincial regulations.

5.2.4.2 All new residential development in excess of three dwelling units and all new commercial, industrial and institutional development will be required to confirm available potable water capacity as well as the ability of the water distribution system to provide sufficient pressure for firefighting capabilities (fire flows). Where fire flows are not available the developer will be required to provide appropriate mitigation measures.

5.2.4.3 The City will reduce the need for water system expansion by promoting water conservation to reduce the per capita water demand. The use of low-volume fixtures such as water flow restrictions for showers and spigots and similar devices.

5.2.4.4 The City will establish additional maintenance practices including systematic leak detection and repair and flushing and swabbing to reduce water loss and gain system capacity.

5.2.5 Utilities

Electronic Power Facilities

The development of energy transmission or production facilities shall occur in an orderly manner to facilitate the efficient and reliable provision of adequate electricity or other forms of energy produced. As such, it is the policy of this Plan that electric facilities are permitted in all land use designations without an Official Plan Amendment, provided that the planning of such facilities is carried out having regard to the other policies of this Plan. Furthermore, private or public energy utilities shall consult with the municipality on the location of any new energy transmission or production facilities.

Whenever possible, the visual amenity of the North Bay area will be preserved and enhanced. Efforts will be made to place all telephone and power distribution lines in the Urban Area underground.

5.2.6 Staging

A major factor in new development or redevelopment is the availability of adequate public works. It is the purpose of this Section of the Plan to control the sequence of development in the urban area so that the financing and construction of public works can be undertaken in a logical and orderly manner without any undue hardship on the City or its taxpayers.

5.2.6.1 All development or redevelopment and public works construction shall be undertaken in accordance with a staged program of development as set out on Schedule 9, Staging Plan, except:

a) where an industrial, commercial or public building not requiring municipal services is to be erected, the City may permit such building in an area in advance of the staging program; or

b) where proposed industrial, commercial or public uses require the extension or enlargement of municipal services, such services may be constructed in advance of the staging program where the long-term results of doing so are likely to result in an economic benefit to the City.

5.2.6.2 In accordance with the staging plan:

a) no new development or redevelopment which increases the existing population density significantly or in the case of commercial and industrial uses, which causes a significant increased demand on the City's water supply system is permitted where it is not sustainable;

b) the stages of development or redevelopment, subject to the provisions of an adequate water supply and shall be based on a

program for the progressive extension of trunk or relief sanitary sewers;

c) the boundaries of the areas to be developed in each stage shall coincide with the boundaries of areas that can be served by trunk sanitary sewers.

5.2.6.3 Trunk sanitary sewers or relief mains and other municipal services should generally be extended so as to permit the commencement of a succeeding stage for new development or redevelopment only when:

a) development in the previous stage is approximately two-thirds (2/3) completed, excluding park areas, conservation areas and publicly owned lands; and

b) the cost of public works necessary will not place an undue financial burden on the City having regard to:

i) the balance of residential and non- residential assessment; and

ii) the ratio of total debenture debt to assessment.

5.2.6.4 New development or redevelopment shall be discouraged from taking place in an area in advance of the staging program as set out in this Plan. It is the intent of the Plan that new development occurs in a logical and orderly manner and the Comprehensive Zoning By-law will implement this policy so that development resulting in a non-sustainable increased demand on City services, is not put on existing municipal services.

5.2.6.5 As part of the long term development plan for future staging areas, the City will work with the various property owners within an area to participate in the creation of a coordinated concept plan in advance of development of a stage. Such a concept plan would identify road networks, pedestrian linkages, municipal servicing, transit, affordable housing and parkland needs, natural heritage features, environmental hazards and constraints for the area. It would be anticipated that the individual development proposals would complement the agreed upon concept plan for the area.[47]

## 5.3 Citizen participation and public meetings

Before passing a Zoning By-law or amendments thereto, or an Official Plan or amendments thereto, or a Community Improvement Plan or amendments thereto under the *Planning Act*, the Council shall ensure that in the course of the preparation of the By-law or Plan, adequate information is made available to the public, including preparation of a planning staff report and a copy of the application for the Plan or By-law amendment.

The Planning Advisory Committee, Committee of Adjustment and the Council shall each hold at least one public meeting, notice of each of which shall be given in the manner and to the persons prescribed pursuant to the *Planning Act*, and the Regulations made there under, unless otherwise stated in this Plan.

Any person who attends a public meeting at the Planning Advisory Committee or Committee of Adjustment, shall be afforded an opportunity to make representations in respect of the proposed Plan or By-law.

The Council public meeting related to the Plan or By-law shall be held after the recommendation of the Planning Advisory Committee is received, if applicable, and shall be open to the public and any person who attends the meeting shall be afforded an opportunity to make representations in respect of the proposed Plan or By-law.

The Council may consider a Plan of Subdivision or Zoning By-law Amendment, without a public meeting at the Planning Advisory Committee if the Plan of Subdivision meets the intent of this Plan, and the regulations of the Comprehensive Zoning By-law or the Zoning By-law Amendment results in a down zoning or minor rezoning in the opinion of Council.

Where a person appeals a planning decision by City Council or the Committee of Adjustment to the Ontario Municipal Board and has not made presentation of their objections to Council or the Committee of Adjustment in any form, the City may make request to the Ontario Municipal Board to dismiss the appeal.

The City of North Bay supports participatory planning practices. Interested parties and affected residents are strongly encouraged to engage with the City in issues that have the potential to impact their neighbourhoods and the greater city. In addition to the formal public consultation required by statute, the City may utilize a variety of appropriate methods to involve the public and welcomes early pre-consultation.

Where Planning Act approvals are required on lands that are affected by the following policy sections: Heritage and Archeological Resources (4.3), Natural Heritage Features (4.6), North Bay Escarpment (4.7), Environmental Protection Policy (4.8) the minimum period for a notice of Public Meeting under the Planning Act shall be 28 days.

## 5.4 Monitoring

This Plan's performance will be monitored by way of community indicators. Community indicators will be developed in conjunction with stakeholder groups representing environmental, social and economic sectors. These indicators will then be confirmed and formally endorsed by City Council.

It is important to discern community land use indicators from those other important indicators that affect the quality of life of the citizens of North Bay. For the purposes of this Plan the broad categories of land use indicators to be monitored are:

- Institutional land availability for pre- and post-secondary education and health care
- Employment and commercial land utilization and availability
- Residential designated land and draft approved residential developments
- Housing targets
- Parkland review and update
- Trout Lake water quality
- Lake Nipissing water quality
- Commercial shopping and consumer opportunity
- Population growth and development activity
- Changes in Federal and Provincial policies and programs as they affect this Plan

The type and number of indicators will be amended as necessary as the quality of land use monitoring evolves.

Community land use indicators will be developed and used to monitor the effectiveness of the policies in the Official Plan, on a five year cycle. Every five (5) years, through the statutory review of the Official Plan, a "Community Land Use Indicators Monitoring" report will be prepared to measure how effective the Official Plan policy is working and make changes to the Plan as required.

Section 26(1) of the Planning Act requires Council to review the Official Plan every five (5) years after the Plan comes into effect. Section 26(6) of the Planning Act requires that any amendment to this Plan as a result of the five (5) year review requires the approval of the Minister of Municipal Affairs and Housing.

# PART 6: INTERPRETATION

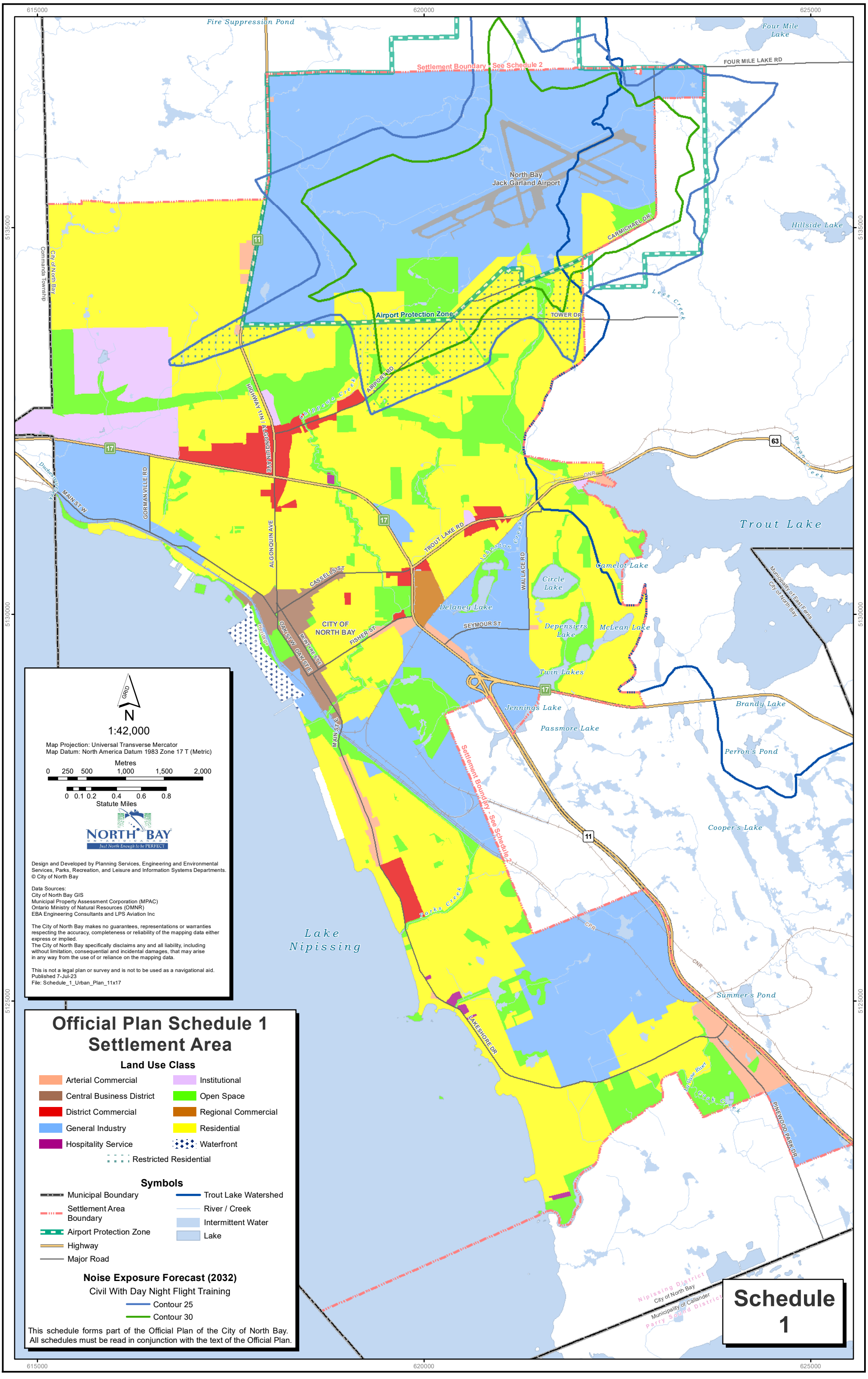
This Official Plan is a policy guide for the long-range planning of the North Bay Planning Area and is used as a policy framework for the evaluation of development proposals. The intent of the Plan shall in all cases be considered flexible and no strict interpretation of any boundary line or any figure is intended. Minor adjustments may be made where such adjustments are deemed necessary for the desirable development of the area, provided that the general intent of the Plan is maintained.

6.1 With the exceptions noted below, any change, deletion or deviation from a statement of intent, either in the text or the Schedules, will require an amendment to the Official Plan.

6.2 The following may be adjusted to the extent stated without an amendment. When minor changes to the Plan are made, however, in accordance with the rules outlined below, these changes shall be indicated when application is next made to the Minister to amend the Official Plan in order to show the updated situation.

a) Boundaries between designated land uses may be adjusted where such boundaries are not affected by roads, railways or other similar barriers, so long as the intent and purpose of the Official Plan is maintained.

b) Adjustments to stage boundaries as shown on Schedule 9 will not require an amendment to this Plan if such amendments are of a minor nature, and are in keeping with the general intent of the Plan.


Official Plan Schedule 1
Settlement Area
Land Use Class
Arterial Commercial
Central Business District
District Commercial
General Industry
Hospitality Service
Institutional
Open Space
Regional Commercial
Residential
Waterfront
Restricted Residential
Symbols
Municipal Boundary
Settlement Area Boundary
Airport Protection Zone
Highway
Major Road
Trout Lake Watershed
River / Creek
Intermittent Water
Lake
Noise Exposure Forecast (2032)
Civil With Day Night Flight Training
Contour 25
Contour 30
This schedule forms part of the Official Plan of the City of North Bay.
All schedules must be read in conjunction with the text of the Official Plan.
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Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)
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Statute Miles
NORTH BAY
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Just North Enough to be PERFECT
Design and Developed by Planning Services, Engineering and Environmental Services, Parks, Recreation, and Leisure and Information Systems Departments.
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Municipal Property Assessment Corporation (MPAC)
Ontario Ministry of Natural Resources (OMNR)
EBA Engineering Consultants and LPS Aviation Inc
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Published 7-Jul-23
File: Schedule_1_Urban_Plan_11x17
Schedule 1
Settlement Boundary - See Schedule 2
Airport Protection Zone
North Bay Jack Garland Airport
CITY OF NORTH BAY
Lake Nipissing
Trout Lake
Fire Suppression Pond
Four Mile Lake
Hillside Lake
Circle Lake
Camelot Lake
Delaney Lake
Depensiers Lake
McLean Lake
Twin Lakes
Jennings Lake
Passmore Lake
Brandy Lake
Perron's Pond
Cooper's Lake
Summer's Pond
Chippewa Creek
Johnston Creek
Lees Creek
Parks Creek
Cook Creek
La Vase River
Dorran Creek
Duchesnay Creek
Heritage
FOUR MILE LAKE RD
CARMICHAEL DR
TOWER DR
AIRPORT RD
HIGHWAY 11N / ALGONQUIN AVE
ALGONQUIN AVE
MAIN ST W
GORMANVILLE RD
TROUT LAKE RD
CASSELLS ST
FISHER ST
SEYMOUR ST
WALLACE RD
OAK ST W
OAK ST E
MAIN ST E
LAKESHORE DR
PINEWOOD PARK DR
City of North Bay
Commanda Township
Municipality of East Ferris
City of North Bay
Municipality of Callander
Nipissing District
Parry Sound District
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CPR
ONR
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5130000
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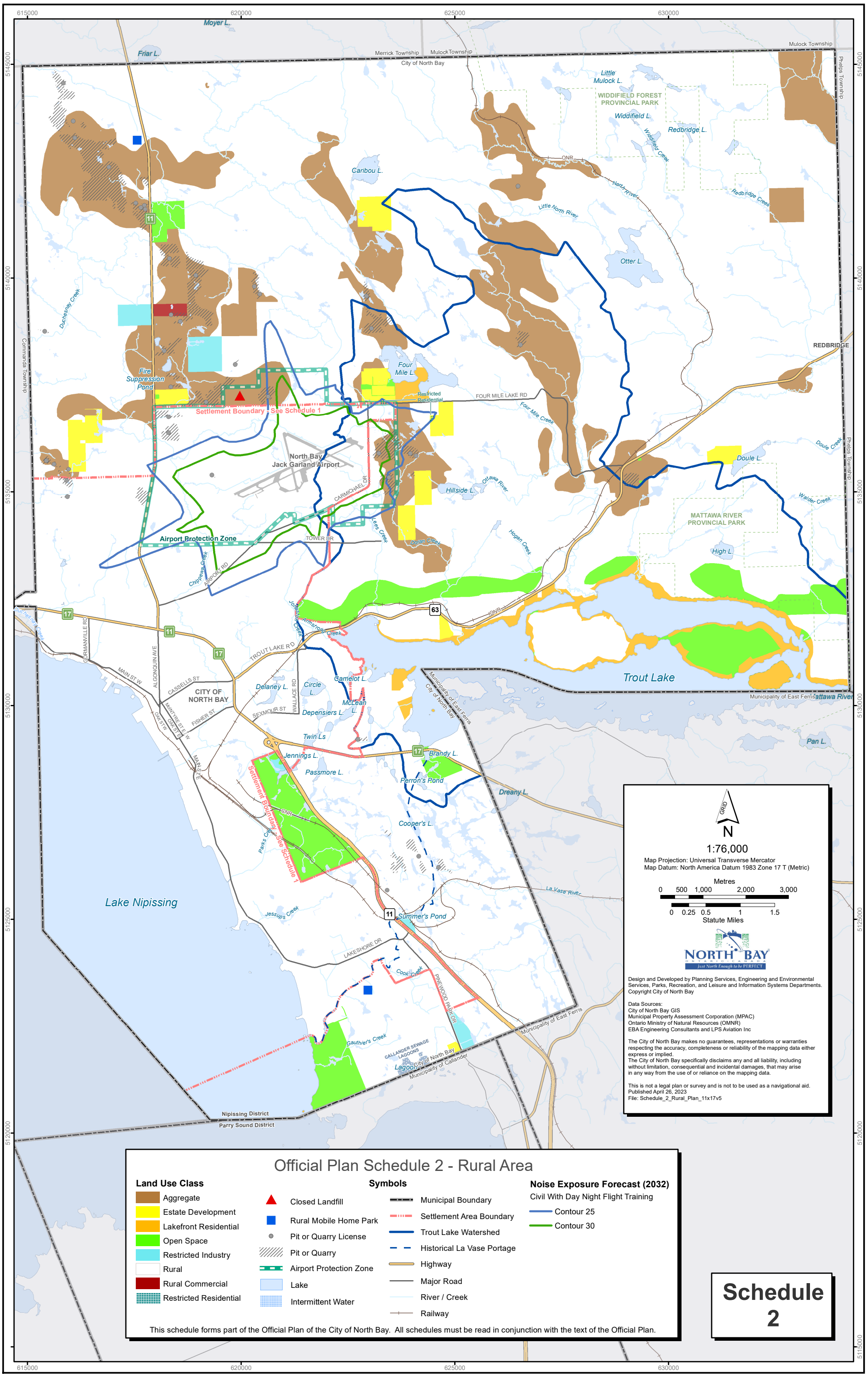
Official Plan Schedule 2 - Rural Area
Land Use Class
Aggregate
Estate Development
Lakefront Residential
Open Space
Restricted Industry
Rural
Rural Commercial
Restricted Residential
Symbols
Closed Landfill
Rural Mobile Home Park
Pit or Quarry License
Pit or Quarry
Airport Protection Zone
Lake
Intermittent Water
Municipal Boundary
Settlement Area Boundary
Trout Lake Watershed
Historical La Vase Portage
Highway
Major Road
River / Creek
Railway
Noise Exposure Forecast (2032)
Civil With Day Night Flight Training
Contour 25
Contour 30
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Schedule 2
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1:76,000
Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)
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NORTH BAY
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Published April 26, 2023
File: Schedule_2_Rural_Plan_11x17v5
Trout Lake
Lake Nipissing
CITY OF NORTH BAY
North Bay Jack Garland Airport
Airport Protection Zone
Settlement Boundary - See Schedule 1
Settlement Boundary - See Schedule 1
REDBRIDGE
WIDDIFIELD FOREST PROVINCIAL PARK
MATTAWA RIVER PROVINCIAL PARK
Merrick Township
Mulock Township
City of North Bay
Phelps Township
Commanda Township
Municipality of East Ferris
City of North Bay
Municipality of Callander
Nipissing District
Parry Sound District
Moyer L.
Friar L.
Little Mulock L.
Widdifield L.
Redbridge L.
Caribou L.
Otter L.
Four Mile L.
Doule L.
Hillside L.
High L.
Delaney L.
Circle L.
Camelot L.
McLean L.
Depensiers L.
Twin Ls
Jennings L.
Passmore L.
Brandy L.
Perron's Pond
Dreany L.
Cooper's L.
Summer's Pond
Pan L.
Fire Suppression Pond
Restricted Residential
FOUR MILE LAKE RD
TROUT LAKE RD
TOWER DR
CARMICHAEL DR
AIRPORT RD
LAKESHORE DR
PINEWOOD PARK DR
CASSELLS ST
FISHER ST
SEYMOUR ST
MAIN ST W
ALGONQUIN AVE
GORMANVILLE RD
WALLACE RD
CALLANDER SEWAGE LAGOONS
Lagoon
Duchesnay Creek
Little North River
North River
Widdifield Creek
Redbridge Creek
Four Mile Creek
Doule Creek
Walder Creek
Ottawa River
Lees Creek
Doran Creek
Hogan Creek
Chipewa Creek
Johnston Creek
Armstrong Creek
Parks Creek
Jessups Creek
Cook Creek
Gauthier's Creek
La Vase River
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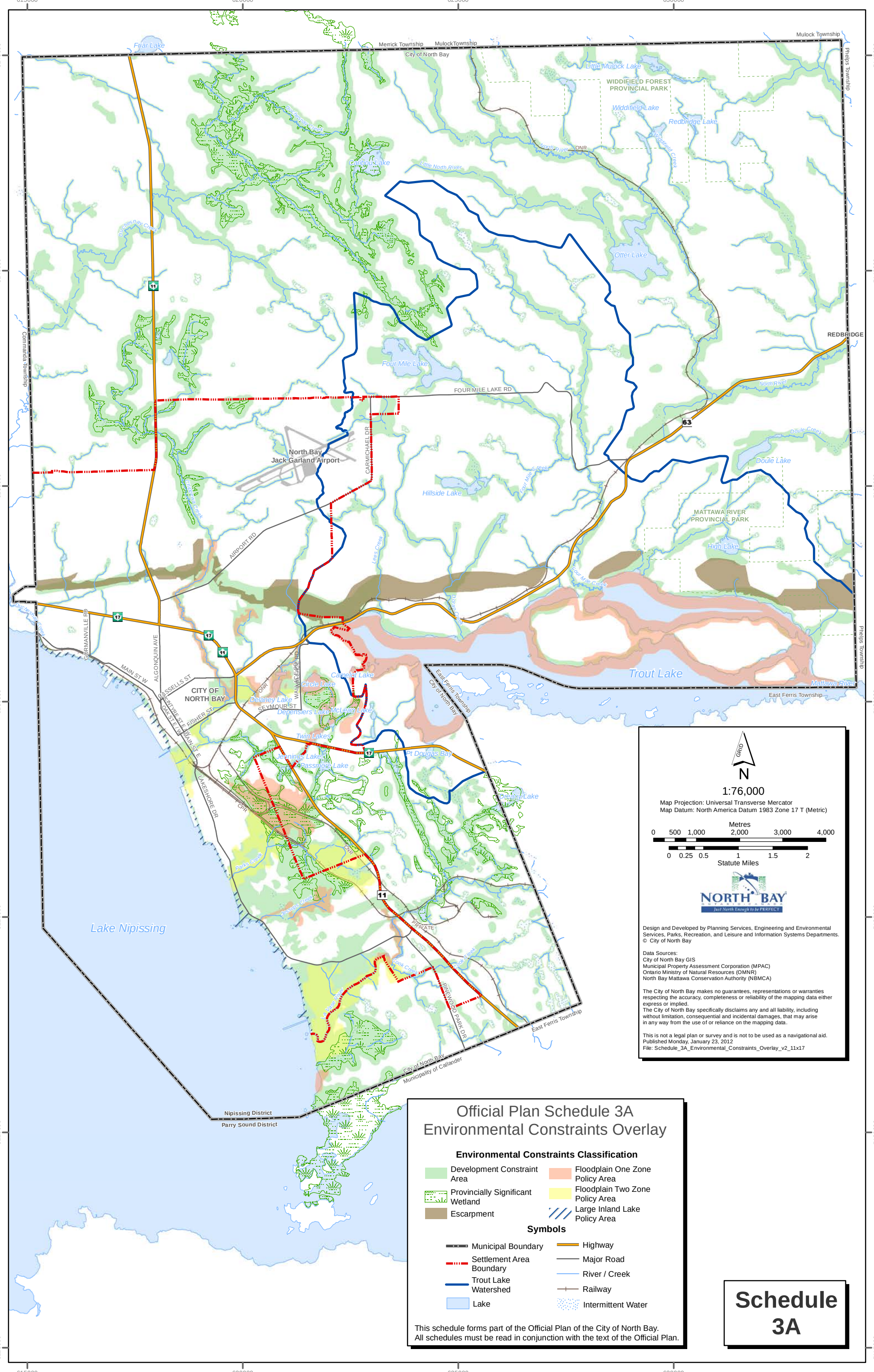
Official Plan Schedule 3A
Environmental Constraints Overlay
Environmental Constraints Classification
Development Constraint Area
Provincially Significant Wetland
Escarpment
Floodplain One Zone Policy Area
Floodplain Two Zone Policy Area
Large Inland Lake Policy Area
Symbols
Municipal Boundary
Settlement Area Boundary
Trout Lake Watershed
Lake
Highway
Major Road
River / Creek
Railway
Intermittent Water
This schedule forms part of the Official Plan of the City of North Bay.
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Schedule 3A
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GRID
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Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)
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Published Monday, January 23, 2012
File: Schedule_3A_Environmental_Constraints_Overlay_v2_11x17
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Friar Lake
Merrick Township
Mulock Township
City of North Bay
Little Mulock Lake
WIDDIFIELD FOREST PROVINCIAL PARK
Widdifield Lake
Redbridge Lake
Widdifield Creek
North River
ONR
Little North River
Otter Lake
Phelps Township
Commanda Township
REDBRIDGE
Four Mile Lake
FOUR MILE LAKE RD
North River
63
Doule Creek
Doule Lake
North Bay Jack Garland Airport
CARMICHAEL DR
Hillside Lake
Four Mile Creek
MATTAWA RIVER PROVINCIAL PARK
High Lake
AIRPORT RD
Lees Creek
Dorion Creek
Trout Lake
Mattawa River
East Ferris Township
City of North Bay
CORMANVILLE RD
ALGONQUIN AVE
MAIN ST W
CASSELLS ST
CITY OF NORTH BAY
FISHER ST
SEYMOUR ST
WALLACE RD
Camelot Lake
Circle Lake
Delaney Lake
Depensiers Lake
McLean Lake
Twin Lakes
Jennings Lake
Passmore Lake
Pt Dougas Bay
Delaney Lake
LAKESHORE DR
CPR
Parks Creek
Jessups Creek
Lake Nipissing
PRIVATE
Cook Creek
La Vase River
PINEWOOD PARK DR
Municipality of Callander
Nipissing District
Parry Sound District

# Official Plan Schedule 3B
# Intake Protection Zone and Issue Contributing Area

**Intake Protection Zones**

IPZ-1 IPZ-2 IPZ-3

**Callander Issue Contributing Area**

ICA

**Symbols**

- Municipal Boundary
- Settlement Area Boundary
- Trout Lake Watershed
- Lake
- Highway
- Major Road
- River / Creek
- Railway
- Intermittent Water

This schedule forms part of the Official Plan of the City of North Bay.
All schedules must be read in conjunction with the text of the Official Plan.

GRID N

NORTH BAY ONTARIO · CANADA
Just North Enough to be PERFECT

1:52,035 @ Tabloid

Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)

Kilometers: 0 0.5 1 2 3

Statute Miles: 0 0.25 0.5 1 1.5

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Data Sources:
City of North Bay GIS
Municipal Property Assessment Corporation (MPAC)
Ontario Ministry of Natural Resources (OMNR)
North Bay Mattawa Conservation Authority (NBMCA)

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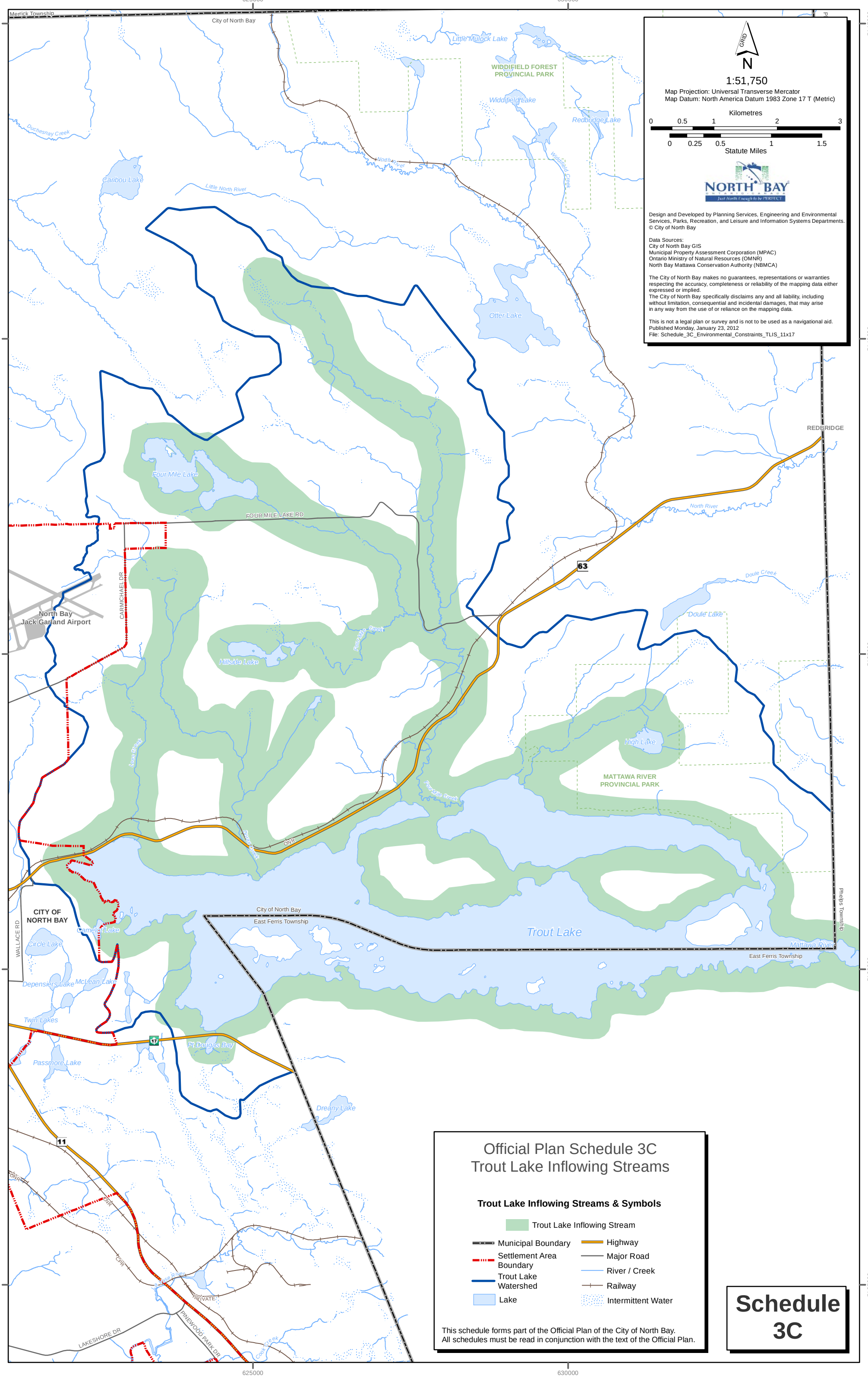
Published Friday, April 29, 2016
File: Schedule_3B_Environmental_Constraints_IPZ_ICA_11x17

**Schedule 3B**

625000 630000 5140000 5135000 5130000 5125000

Little North River
Widdifield Creek
Otter Lake
Redbridge Creek
REDBRIDGE
Phelps Township
North River
Four Mile Lake
FOUR MILE LAKE RD
63
Doule Creek
Doule Lake
North Bay Jack Garland Airport
CARMICHAEL DR
Hillside Lake
Ottawa River
Walder Creek
Four Mile Creek
CNR
High Lake
Lees Creek
MATTAWA RIVER PROVINCIAL PARK
Trout Lake
Dolan Creek
Mattawa Creek
Johnston Creek
WALLACE RD
Delaney Lake
Circle Lake
Camelot Lake
Depensiers Lake
McLean Lake
Twin Lakes
Jennings Lake
Passmore Lake
17
Brandy Lake
Mun. of East Ferris
City of North Bay
Municipality of East Ferris
Cooper's Lake
11
Parks Creek
La Vase River
Jessups Creek
CPR
LAKESHORE DR
Cook Creek
PINEWOOD PARK DR
Lake Nipissing
Municipality of Callander
PARRY SOUND DISTRICT


625000
630000
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5140000
5135000
5130000
5125000
Merrick Township
City of North Bay
Little Mulock Lake
WIDDIFIELD FOREST PROVINCIAL PARK
Widdifield Lake
Redbridge Lake
Duchesnay Creek
North River
Widdifield Creek
Caribou Lake
Little North River
Otter Lake
REDBRIDGE
Four Mile Lake
FOUR MILE LAKE RD
North River
63
Doule Creek
CARMICHAEL DR
North Bay Jack Garland Airport
Doule Lake
Four Mile Creek
Hillside Lake
Lees Creek
High Lake
MATTAWA RIVER PROVINCIAL PARK
Four Mile Creek
Doule Creek
CNR
Phelps Township
CITY OF NORTH BAY
City of North Bay
East Ferris Township
Trout Lake
Mattawa River
East Ferris Township
WALLACE RD
Camelot Lake
Circle Lake
Depensiers Lake
McLean Lake
Twin Lakes
17
Pt Dougas Bay
Passmore Lake
Dreany Lake
11
CNR
CNR
CPR
Rose River
PRIVATE
LAKESHORE DR
PINEWOOD PARK DR
Cook Creek
GRID
N
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Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)
Kilometres
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Statute Miles
NORTH BAY
ONTARIO · CANADA
Just North Enough to be PERFECT
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Data Sources:
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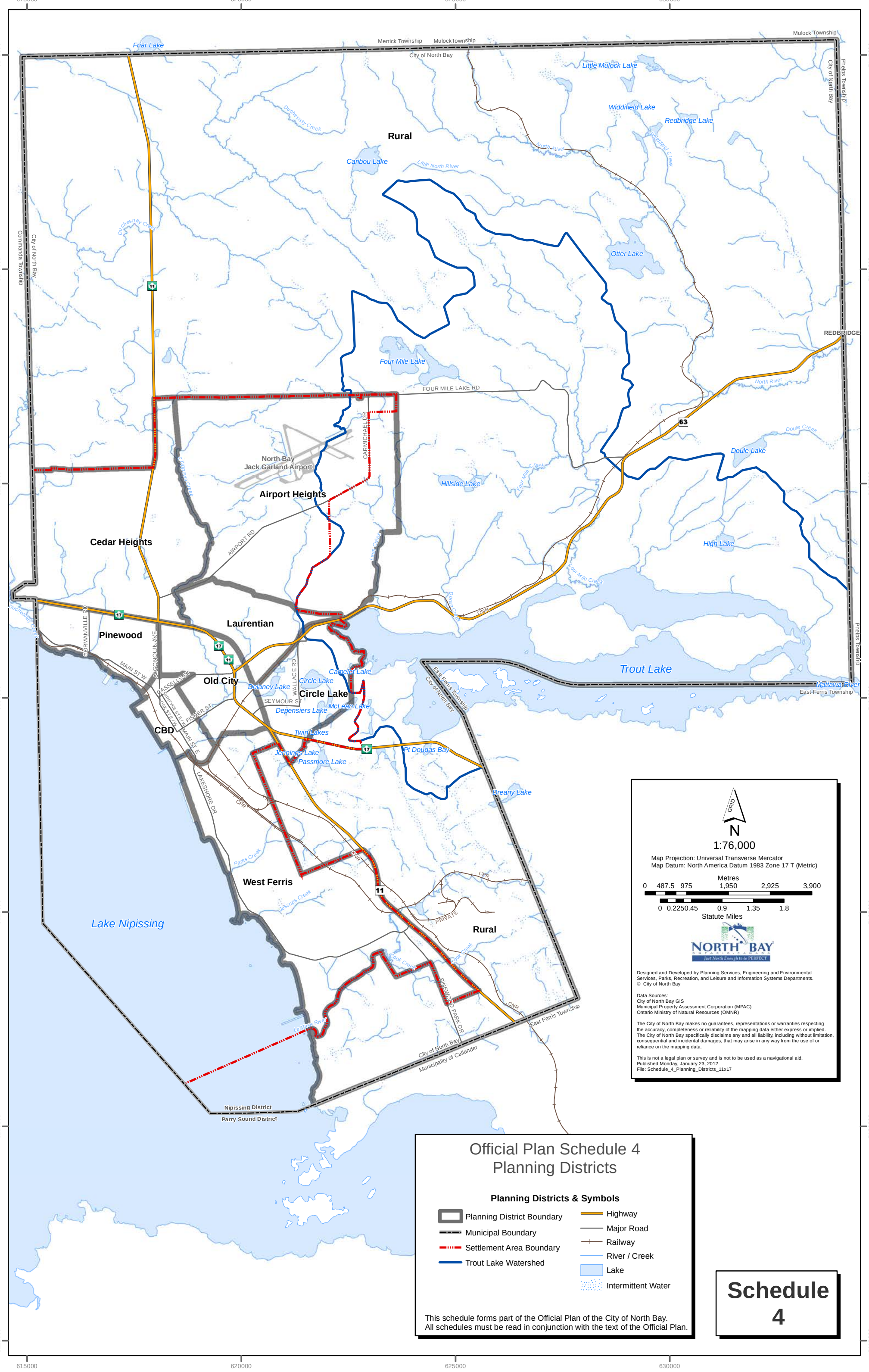
Published Monday, January 23, 2012
File: Schedule_3C_Environmental_Constraints_TLIS_11x17
Official Plan Schedule 3C
Trout Lake Inflowing Streams
Trout Lake Inflowing Streams & Symbols
Trout Lake Inflowing Stream
Municipal Boundary
Settlement Area Boundary
Trout Lake Watershed
Lake
Highway
Major Road
River / Creek
Railway
Intermittent Water
This schedule forms part of the Official Plan of the City of North Bay.
All schedules must be read in conjunction with the text of the Official Plan.
Schedule 3C


Official Plan Schedule 4
Planning Districts
Planning District Boundary
Municipal Boundary
Settlement Area Boundary
Trout Lake Watershed
Highway
Major Road
Railway
River / Creek
Lake
Intermittent Water
This schedule forms part of the Official Plan of the City of North Bay.
All schedules must be read in conjunction with the text of the Official Plan.
Schedule 4
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Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)
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Statute Miles
Designed and Developed by Planning Services, Engineering and Environmental Services, Parks, Recreation, and Leisure and Information Systems Departments.
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City of North Bay GIS
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Published Monday, January 23, 2012
File: Schedule_4_Planning_Districts_11x17
Rural
Airport Heights
Cedar Heights
Pinewood
Laurentian
Old City
Circle Lake
CBD
West Ferris
Lake Nipissing
Trout Lake
Nipissing District
Parry Sound District
Municipality of Callander
City of North Bay
East Ferris Township
Mattawa River
Phelps Township
Mulock Township
Merrick Township
Commanda Township
REDBRIDGE
North Bay Jack Garland Airport
Friar Lake
Little Mulock Lake
Widdifield Lake
Redbridge Lake
Caribou Lake
Otter Lake
Four Mile Lake
Doule Lake
Hillside Lake
High Lake
Camelot Lake
Delaney Lake
Depensiers Lake
McLean Lake
Twin Lakes
Jennings Lake
Passmore Lake
Pt Dougas Bay
Dreany Lake
Duchesnay Creek
Little North River
North River
Widdifield Creek
Doule Creek
Four Mile Creek
Parks Creek
Jessups Creek
Cook Creek
La Vase River
FOUR MILE LAKE RD
CARMICHAEL DR
AIRPORT RD
CORMANVILLE RD
ALGONQUIN AVE
MAIN ST W
CASSELLS ST
McINTYRE ST E
OAK ST E
FISHER ST
MAIN ST E
SEYMOUR ST
WALLACE RD
LAKESHORE DR
PINEWOOD PARK DR
PRIVATE
CPR
CNR
ONR
615000
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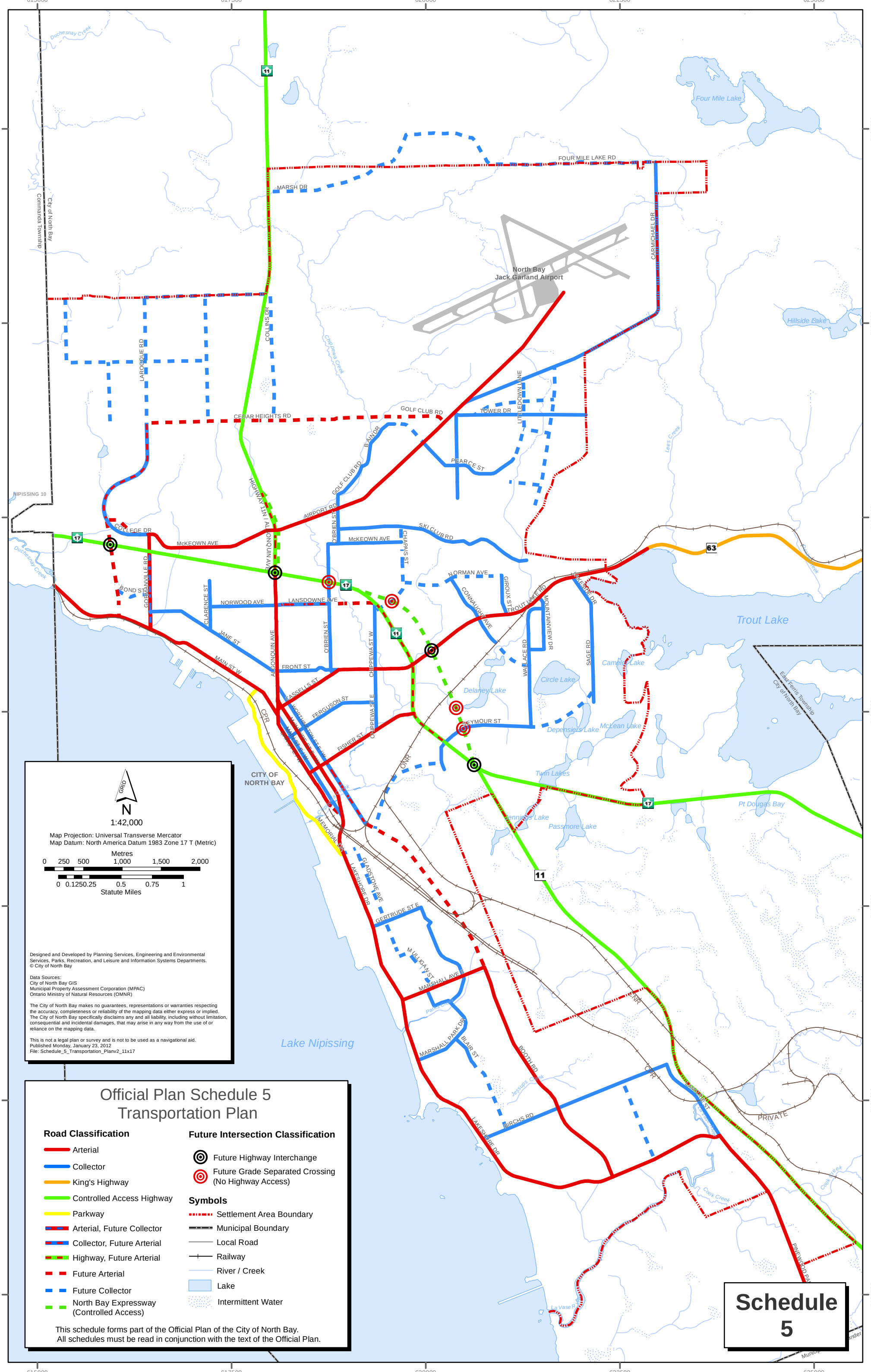
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622500
625000
5137500
5135000
5132500
5130000
5127500
5125000
5122500
Duchesnay Creek
Four Mile Lake
FOUR MILE LAKE RD
MARSH DR
City of North Bay
Commanda Township
North Bay
Jack Garland Airport
CARMICHAEL DR
Hillside Lake
COLLINS DR
LAROCQUE RD
Chippewa Creek
LITTLEDOWN LANE
GOLF CLUB RD
TOWER DR
CEDAR HEIGHTS RD
BAIN DR
PEARCE ST
Lees Creek
NIPISSING 10
HIGHWAY 11N / ALGONQUIN AVE
AIRPORT RD
OBRIEN ST
COLLEGE DR
McKEOWN AVE
SKI CLUB RD
CHAPAIS ST
NORMAN AVE
GIROUX ST
CONNAUGHT AVE
TROUT LAKE RD
MOUNTAINVIEW DR
LAKESIDE DR
Trout Lake
BOND ST
GORMANVILLE RD
CLARENCE ST
NORWOOD AVE
LANSDOWNE AVE
JANE ST
MAIN ST W
FRONT ST
CHIPPEWA ST W
WALLACE RD
SAGE RD
Camelot Lake
Circle Lake
Delaney Lake
GASSELIS ST
FERGUSON ST
SEYMOUR ST
Depensiers Lake
McLean Lake
FISHER ST
CHIPPEWA ST E
CPR
ONR
CITY OF
NORTH BAY
Twin Lakes
Pt Dougas Bay
Bennetts Lake
Passmore Lake
MEMORIAL DR
LAKESHORE DR
GLADSTONE AVE
GERTRUDE ST E
MULLIGAN ST
MARSHALL AVE
MARSHALL PARK DR
BLAIR ST
Lake Nipissing
BOOTH RD
Jessups Creek
BIRCHS RD
LAKESHORE DR
PRIVATE
Cook Creek
PINEWOOD PA
La Vase R
East Ferris Township
City of North Bay
GRID
N
1:42,000
Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)
Metres
0 250 500 1,000 1,500 2,000
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Statute Miles
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Published Monday, January 23, 2012
File: Schedule_5_Transportation_Planv2_11x17
Official Plan Schedule 5
Transportation Plan
Road Classification
Arterial
Collector
King's Highway
Controlled Access Highway
Parkway
Arterial, Future Collector
Collector, Future Arterial
Highway, Future Arterial
Future Arterial
Future Collector
North Bay Expressway (Controlled Access)
Future Intersection Classification
Future Highway Interchange
Future Grade Separated Crossing (No Highway Access)
Symbols
Settlement Area Boundary
Municipal Boundary
Local Road
Railway
River / Creek
Lake
Intermittent Water
This schedule forms part of the Official Plan of the City of North Bay.
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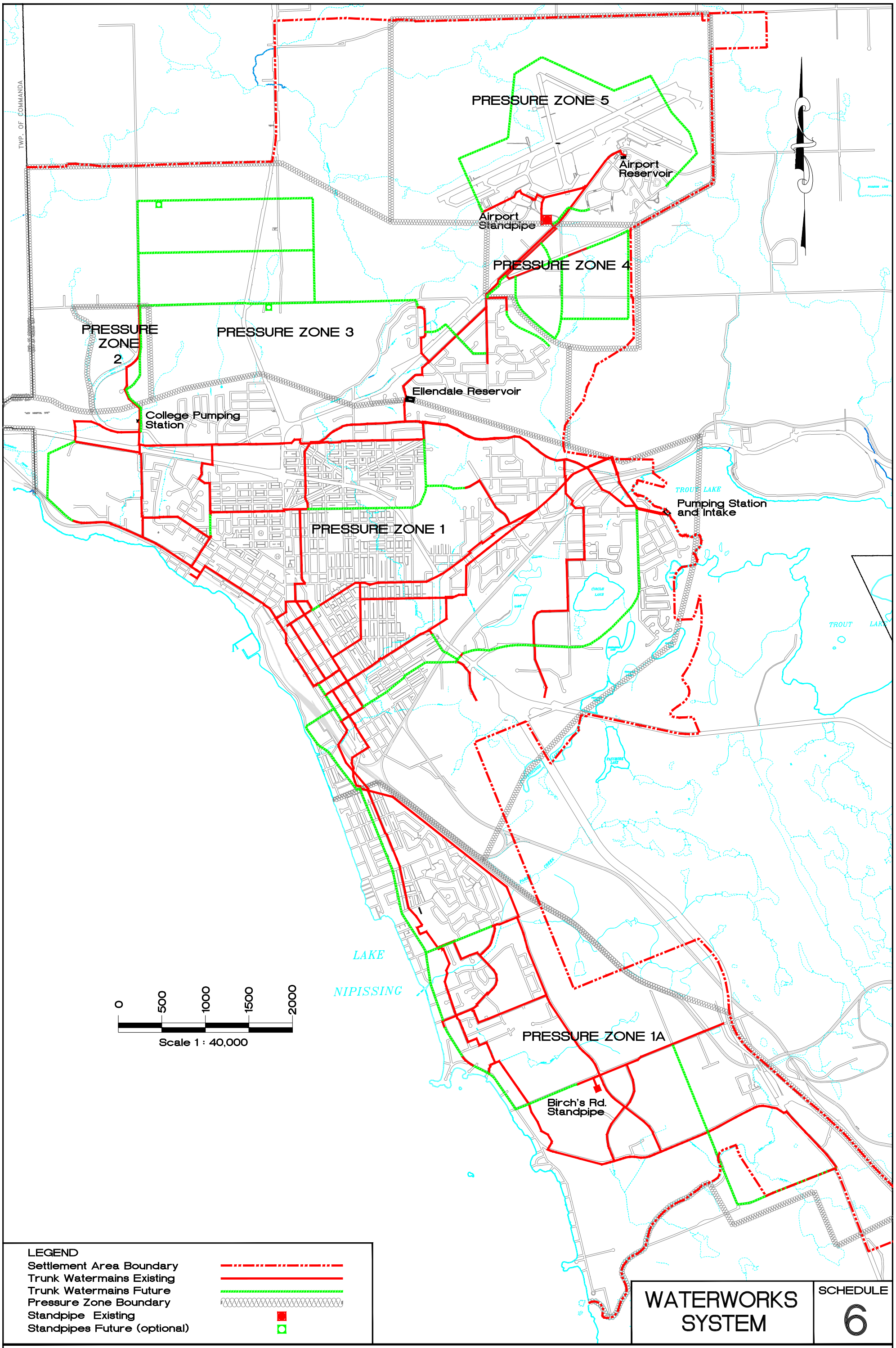
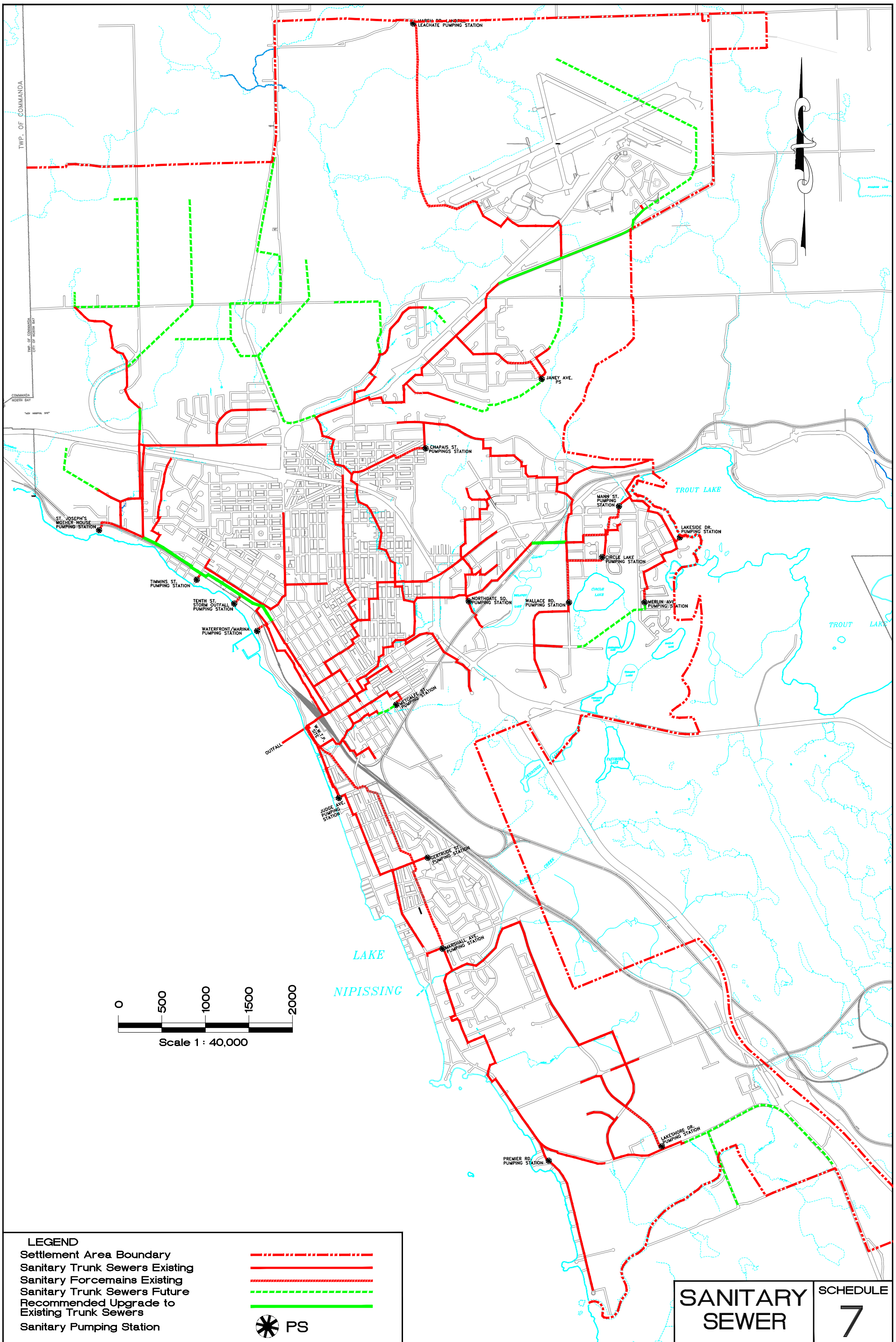
Schedule
5



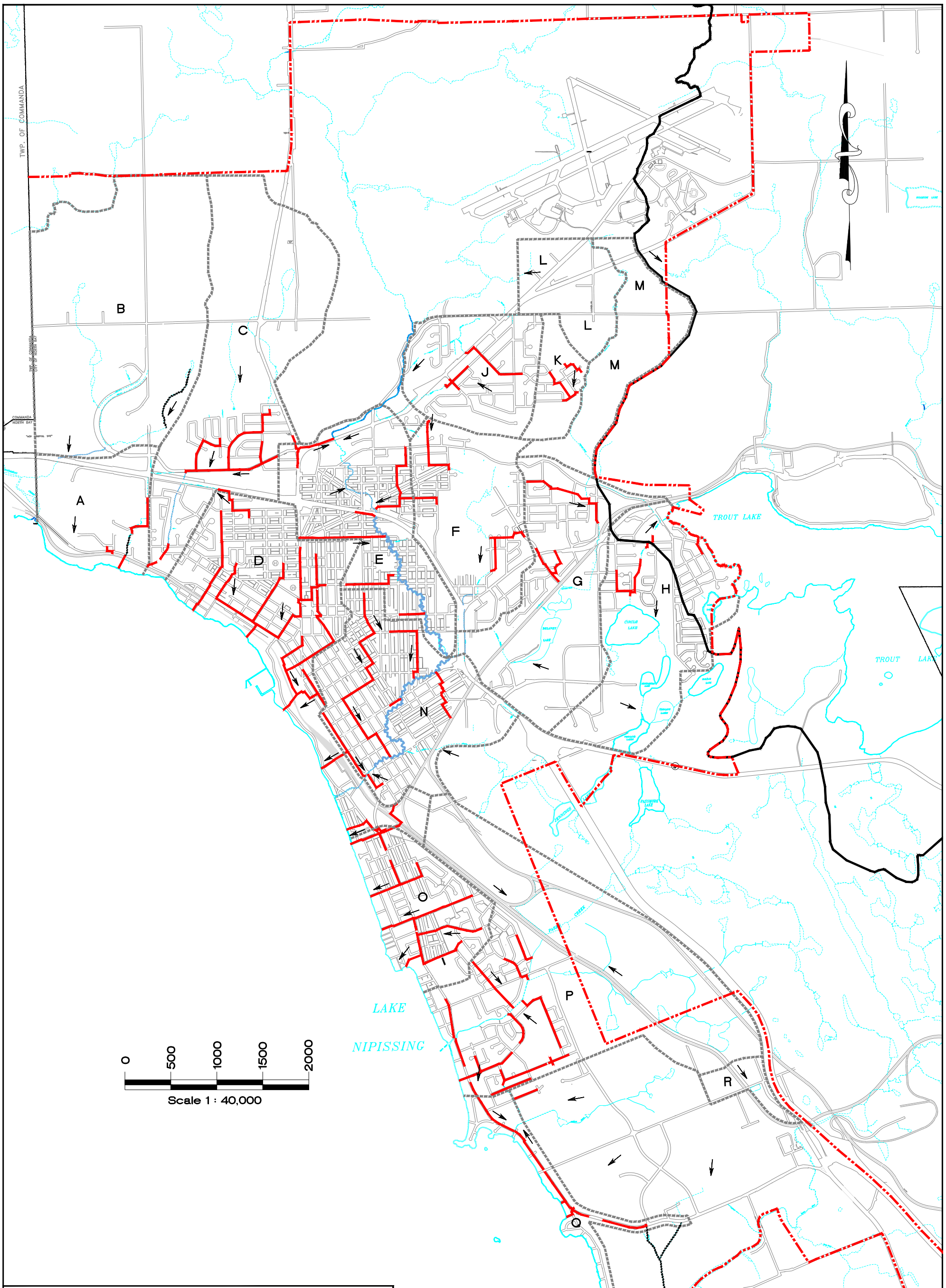

WATERWORKS SYSTEM

SCHEDULE 6

# NORTH BAY OFFICIAL PLAN




# NORTH BAY OFFICIAL PLAN



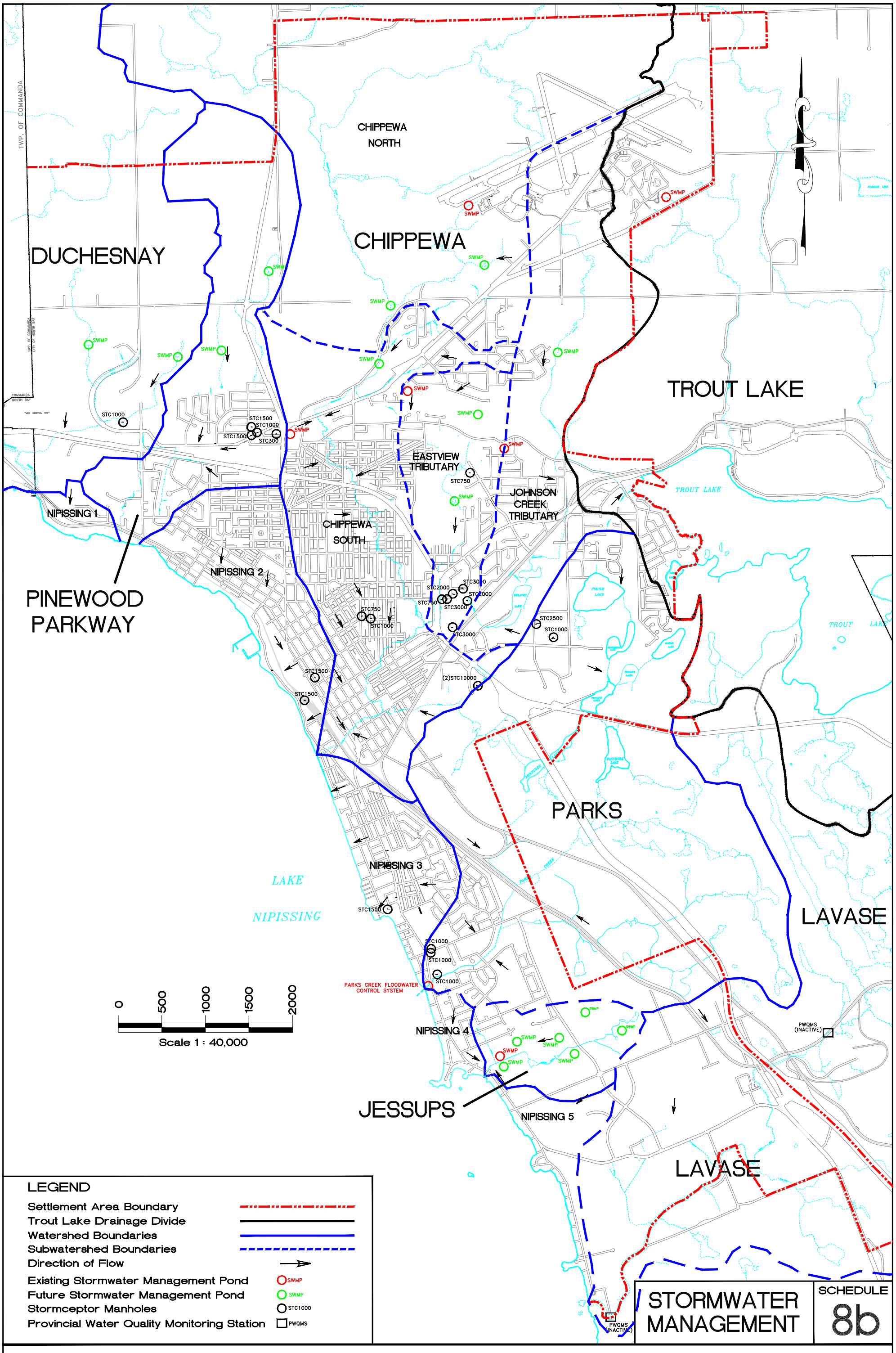

LEGEND

- Settlement Area Boundary
- Lake Nipissing/Trout Lake Divide
- Storm Trunk Sewers Existing
- Storm Trunk Sewers Future
- Drainage Areas
- **Stream Improvements**
- **Proposed Open Channel**
- Direction of Flow

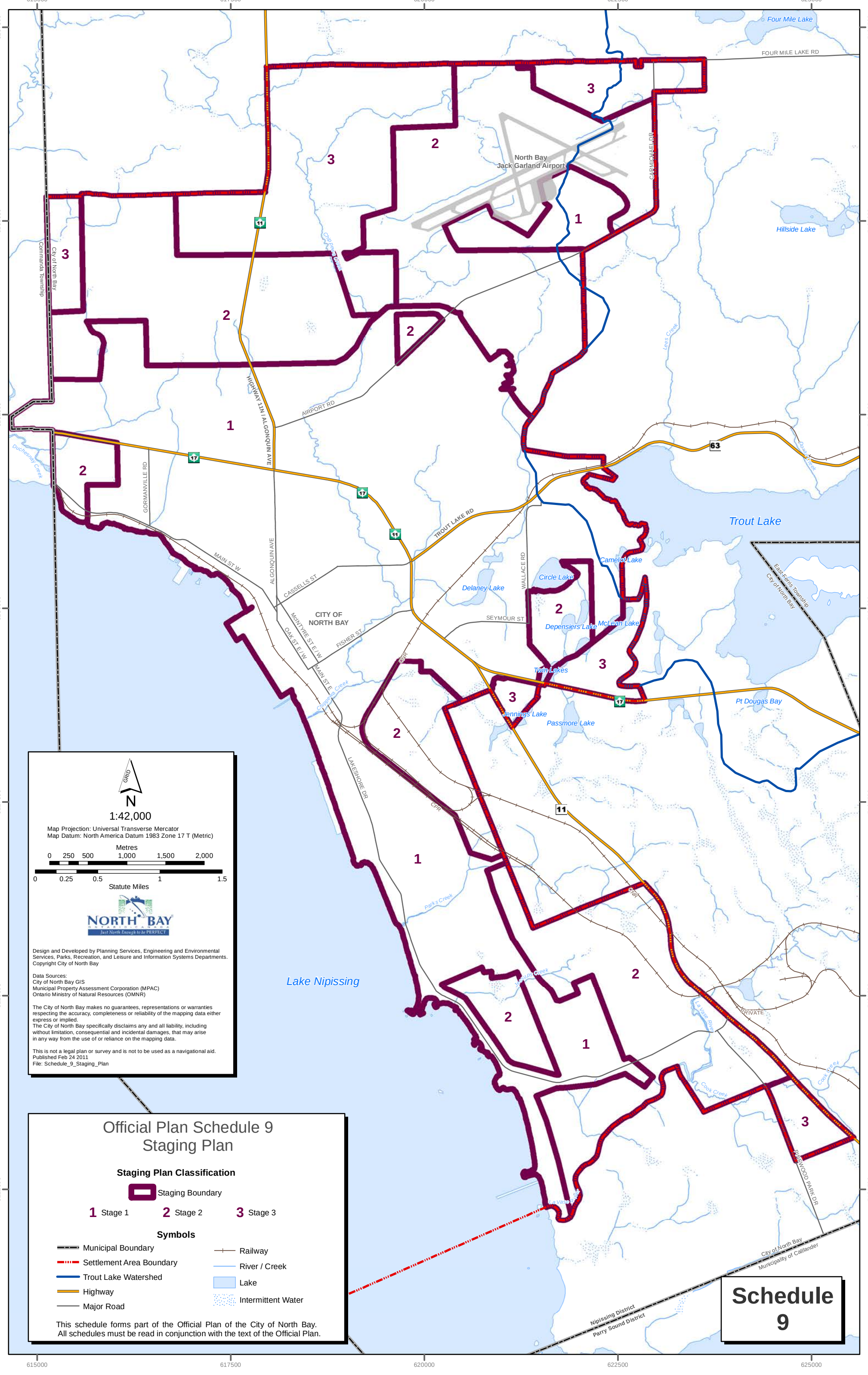
STORM SEWER

SCHEDULE 8a

# NORTH BAY OFFICIAL PLAN




# NORTH BAY OFFICIAL PLAN


Four Mile Lake
FOUR MILE LAKE RD
North Bay
Jack Garland Airport
CARMICHAEL DR
Hillside Lake
City of North Bay
Commanda Township
HIGHWAY 11N / ALGONQUIN AVE
AIRPORT RD
Duchesney Creek
GORMANVILLE RD
TROUT LAKE RD
Trout Lake
MAIN ST W
ALGONQUIN AVE
CASSELLS ST
CITY OF NORTH BAY
McINTYRE ST E / W
OAK ST E / W
FISHER ST
MAIN ST E
WALLACE RD
Camelot Lake
Circle Lake
Delaney Lake
SEYMOUR ST
Depensiers Lake
McLean Lake
Twin Lakes
Jennings Lake
Passmore Lake
Pt Dougas Bay
East Ferris Township
City of North Bay
LAKESHORE DR
CPR
CNR
Lake Nipissing
Palk's Creek
Leaps Creek
La Vase River
PRIVATE
Cook Creek
PINEWOOD PARK DR
City of North Bay
Municipality of Callander
Nipissing District
Parry Sound District
615000
617500
620000
622500
625000
5137500
5135000
5132500
5130000
5127500
5125000
5122500
1
2
3
11
17
63
GRID
N
1:42,000
Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)
Metres
0 250 500 1,000 1,500 2,000
0 0.25 0.5 1 1.5
Statute Miles
NORTH BAY
ONTARIO · CANADA
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Published Feb 24 2011
File: Schedule_9_Staging_Plan
Official Plan Schedule 9
Staging Plan
Staging Plan Classification
Staging Boundary
1 Stage 1
2 Stage 2
3 Stage 3
Symbols
Municipal Boundary
Settlement Area Boundary
Trout Lake Watershed
Highway
Major Road
Railway
River / Creek
Lake
Intermittent Water
This schedule forms part of the Official Plan of the City of North Bay.
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Schedule
9

# Official Plan Schedule 11
# Residential Intensification Area

**Residential Intensification Area & Symbols**

- Highway
- Major Road
- Local Road
- Railway
- River / Creek
- Lake
- Intermittent Water
- Residential Intensification Area
- Municipal Boundary
- Settlement Area Boundary
- Trout Lake Watershed

This schedule forms part of the Official Plan of the City of North Bay.
All schedules must be read in conjunction with the text of the Official Plan.

GRID
N

1:12,500

Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)

Metres: 0 100 200 400 600
Feet: 0 250 500 1,000 1,500

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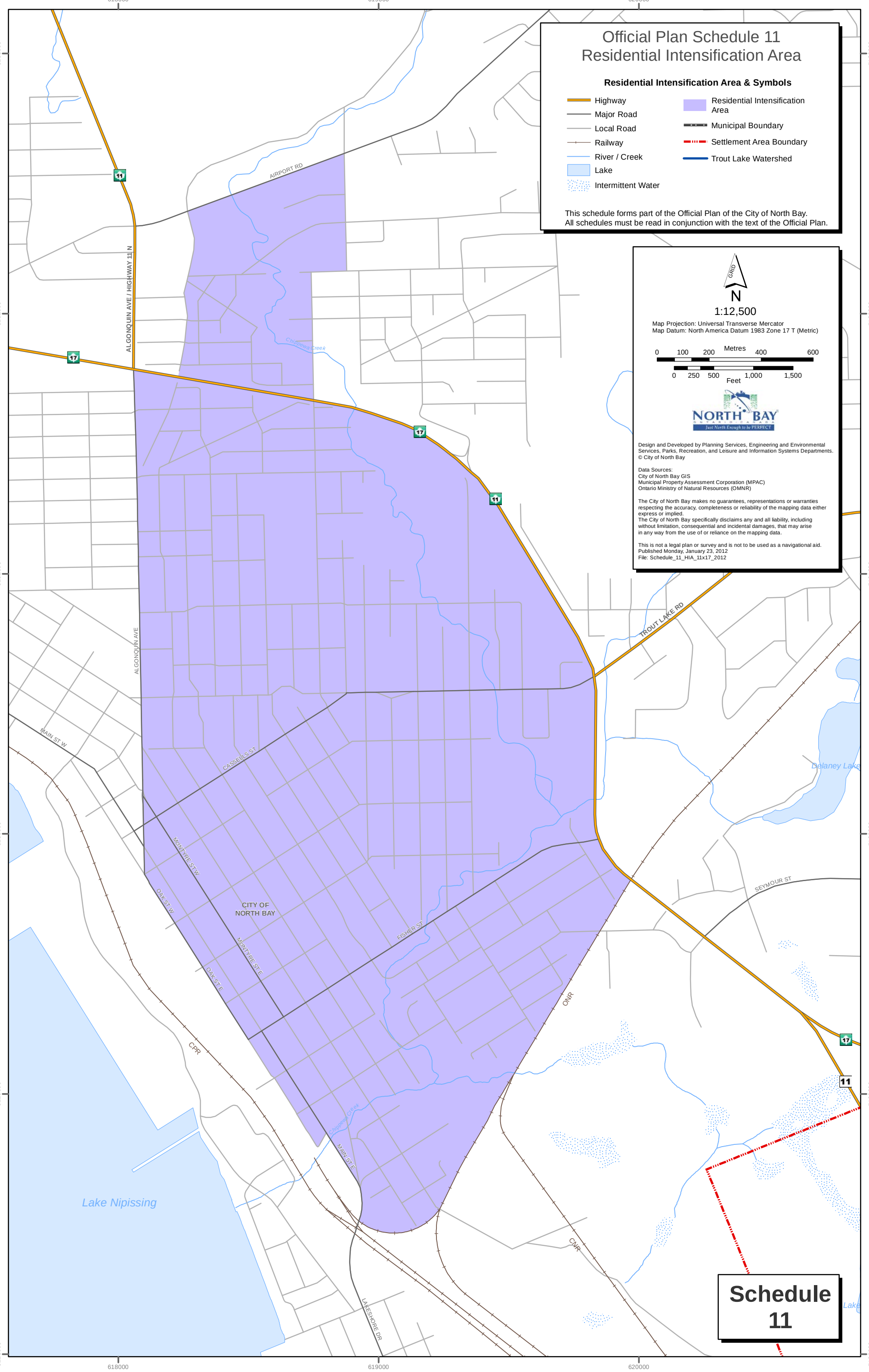
Published Monday, January 23, 2012
File: Schedule_11_HIA_11x17_2012



# Official Plan Schedule 12A
# Downtown Waterfront Districts

- Downtown Living District
- Core Downtown Waterfront District
- Innovation District
- Highway
- Major Road
- Local Road
- Settlement Area
- Railway
- River / Creek
- Lake
- Intermittent Water

This schedule forms part of the Official Plan of the City of North Bay.
All schedules must be read in conjunction with the text of the Official Plan.

618000 620000
5132000 5130000 5128000

Chippewa Creek
AIRPORT RD
McKEOWN AVE
CLARENCE ST
ALGONQUIN AVE
DOUGLAS ST
O'BRIEN ST
CHIPPEWA ST W
CONNAUGHT AVE
HIGH ST
JANE ST
COPELAND ST
McINTYRE ST W
MAIN ST W
KING ST W
CASSELLS ST
OAK ST W
CITY OF NORTH BAY
KING ST E
CHIPPEWA ST E
Delaney Lake
SEYMOUR ST
FISHER ST
McINTYRE ST E
LAURIER AVE
OAK ST E
MAIN ST E
Lake Nipissing
GPR
MEMORIAL DR
ONR
Jennings Lake
JUDGE AVE
LAKESHORE DR
GERTRUDE ST E

GRID
N

1:15,000

Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)

Metres
0 250 500 750

0 250 500 750 1,500
Feet

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Published October 16, 2018
File: Schedule_12A_DWD_11x17

**Schedule 12A**

# Official Plan Schedule 12B
# Downtown Waterfront Character Areas

Western Downtown
Central Downtown
Eastern Downtown
Western Waterfront
Central Waterfront
Eastern Waterfront
Highway
Major Road
Local Road
Settlement Area
Railway
River / Creek
Lake
Intermittent Water

This schedule forms part of the Official Plan of the City of North Bay.
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618000
620000
5132000
5130000
5128000

Chippewa Creek
AIRPORT RD
McKEOWN AVE
CLARENCE ST
ALGONQUIN AVE
DOUGLAS ST
O'BRIEN ST
CHIPPEWA ST W
CONNAUGHT AVE
HIGH ST
JANE ST
COPELAND ST
McINTYRE ST W
MAIN ST W
KING ST W
CASSELLS ST
OAK ST W
CITY OF NORTH BAY
KING ST E
CHIPPEWA ST E
Delaney Lake
SEYMOUR ST
FISHER ST
McINTYRE ST E
LAURIER AVE
CPR
MEMORIAL DR
OAK ST E
MAIN ST E
Lake Nipissing
Jennings Lake
ONR
JUDGE AVE
LAKESHORE DR
GERTRUDE ST E

GRID
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1:15,000
Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)
Metres
0 250 500 750
0 250 500 750 1,500
Feet

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Published October 16, 2018
File: Schedule_12B_DWCA_11x17_V2

**Schedule 12B**

# Official Plan Schedule 12C
# Downtown Waterfront Heights

- Max. 2 Stories
- Min. 2 Stories - Max. 4 Stories
- Min. 2 Stories - Max. 6 Stories
- Min. 2 Stories - Max. 8 Stories
- Highway
- Major Road
- Local Road
- Settlement Area
- Railway
- River / Creek
- Lake
- Intermittent Water

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618000 620000 5132000 5130000 5128000

Chippewa Creek
AIRPORT RD
McKEOWN AVE
CLARENCE ST
ALGONQUIN AVE
DOUGLAS ST
O'BRIEN ST
CHIPPEWA ST W
CONNAUGHT AVE
HIGH ST
JANE ST
COPELAND ST
McINTYRE ST W
MAIN ST W
KING ST W
CASSELLS ST
OAK ST W
CITY OF NORTH BAY
KING ST E
CHIPPEWA ST E
SEYMOUR ST
FISHER ST
McINTYRE ST E
LAURIER AVE
CPR
MEMORIAL DR
OAK ST E
MAIN ST E
Delaney Lake
Lake Nipissing
Jennings Lake
ONR
JUDGE AVE
LAKESHORE DR
GERTRUDE ST E

GRID
N
1:15,000
Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)
Metres
0 250 500 750
0 250 500 750 1,500
Feet

NORTH BAY
ONTARIO · CANADA
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Published October 16, 2018
File: Schedule_12C_DWH_11x17

**Schedule 12C**

# Appendices

The Province of Ontario also requires the City, in carrying out its responsibilities under the Planning Act to have regard to provincial interests as listed in Section 2 of the Planning Act. Section 2 of the Planning Act is as follows:

**Provincial interest**

**2.** The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

(a) the protection of ecological systems, including natural areas, features and functions;

(b) the protection of the agricultural resources of the Province;

(c) the conservation and management of natural resources and the mineral resource base;

(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

(e) the supply, efficient use and conservation of energy and water;

(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;

(g) the minimization of waste;

(h) the orderly development of safe and healthy communities;

(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;

(i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;

(j) the adequate provision of a full range of housing;

(k) the adequate provision of employment opportunities;

(l) the protection of the financial and economic well-being of the Province and its municipalities;

(m) the co-ordination of planning activities of public bodies;

(n) the resolution of planning conflicts involving public and private interests;

(o) the protection of public health and safety;

(p) the appropriate location of growth and development;

(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians. 1994, c. 23, s. 5; 1996, c. 4, s. 2; 2001, c. 32, s. 31 (1); 2006, c. 23, s. 3.

**Decisions of councils and approval authorities**

**2.1** When an approval authority or the Municipal Board makes a decision under this Act that relates to a planning matter, it shall have regard to,

(a) any decision that is made under this Act by a municipal council or by an approval authority and relates to the same planning matter; and

(b) any supporting information and material that the municipal council or approval authority considered in making the decision described in clause (a). 2006, c. 23, s. 4.

The following is a list of other applicable Provincial statutes, as amended, that will be consulted regarding land use decisions by Council:

Accessibility for Ontarians with Disabilities Act, 2005

Aggregate Resources Act, 1990

Condominium Act, 1998

Development Charges Act, 1997

Endangered Species Act, 2007

Environmental Protection Act, 1990

Mining Act, 1990

Municipal Act, 2001

Ontario Clean Water Act, 2006

Ontario Heritage Act, 1990

Ontario

2005

# Provincial Policy Statement

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Approved by the Lieutenant Governor in Council, Order in Council No. 140/2005

This Provincial Policy Statement was issued under Section 3 of the *Planning Act* and came into effect March 1, 2005. It replaces the Provincial Policy Statement issued May 22, 1996, and amended February 1, 1997.

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# Part I: PREAMBLE

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for the citizens of Ontario.

The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The policies of the Provincial Policy Statement may be complemented by provincial plans or by locally-generated policies regarding matters of municipal interest. Provincial plans and municipal official plans provide a framework for comprehensive, integrated and long-term planning that supports and integrates the principles of strong communities, a clean and healthy environment and economic growth, for the long term.

Land use planning is only one of the tools for implementing provincial interests. A wide range of legislation, regulations, policies and programs may also affect planning matters, and assist in implementing these interests.

# Part II: LEGISLATIVE AUTHORITY

The Provincial Policy Statement is issued under the authority of Section 3 of the *Planning Act* and came into effect on March 1, 2005. It applies to all applications, matters or proceedings commenced on or after March 1, 2005.

In respect of the exercise of any authority that affects a planning matter, Section 3 of the *Planning Act* requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the Act.

# Part III: HOW TO READ THE PROVINCIAL POLICY STATEMENT

A policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The Provincial Policy Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The Provincial Policy Statement is more than a set of individual policies. It is intended to be read in its entirety and the relevant policies are to be applied to each situation. A decision-maker should read all of the relevant policies as if they are specifically cross-referenced with each

other. While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read the Provincial Policy Statement as a whole.

Part IV, Vision for Ontario's Land Use Planning System, provides the context for applying the Provincial Policy Statement. Implementation issues are addressed in the Implementation and Interpretation section.

Except for references to legislation which are traditionally italicized, italicized terms in the Provincial Policy Statement are defined in the Definitions section. For other terms, the normal meaning of the word applies. Terms may be italicized only in specific policies; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized. Defined terms in the Definitions section are intended to capture both singular and plural forms of these terms in the policies.

There is no implied priority in the order in which the policies appear.

# Part IV: VISION FOR ONTARIO'S LAND USE PLANNING SYSTEM

The long-term prosperity and social well-being of Ontarians depend on maintaining strong communities, a clean and healthy environment and a strong economy.

Ontario is a vast province with diverse urban, rural and northern communities which may face different challenges related to diversity in population levels, economic activity, pace of growth and physical and natural conditions. Some areas face challenges related to maintaining population and diversifying their economy, while other areas face challenges related to accommodating and managing the development and population growth which is occurring, while protecting important resources and the quality of the natural environment. The Provincial Policy Statement reflects this diversity and is based on good planning principles that apply in communities across Ontario.

The Provincial Policy Statement focuses growth within settlement areas and away from significant or sensitive resources and areas which may pose a risk to public health and safety. It recognizes that the wise management of development may involve directing, promoting or sustaining growth. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns.

Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, employment, parks and open spaces, and transportation choices that facilitate pedestrian mobility and other modes of travel. They also support the financial well-being of the Province and municipalities over the long term, and minimize the undesirable effects of development, including impacts on air, water and other resources. Strong, liveable and healthy communities enhance social well-being and are economically and environmentally sound.

The Province's natural heritage resources, water, agricultural lands, mineral resources, and cultural heritage and archaeological resources provide important environmental, economic and social benefits. The wise use and management of these resources over the long term is a key provincial interest. The Province must ensure that its resources are managed in a sustainable way to protect essential ecological processes and public health and safety, minimize environmental and social impacts, and meet its long-term needs.

It is equally important to protect the overall health and safety of the population. The Provincial Policy Statement directs development away from areas of natural and human-made hazards, where these hazards cannot be mitigated. This preventative approach supports provincial and municipal financial well-being over the long term, protects public health and safety, and minimizes cost, risk and social disruption.

Taking action to conserve land and resources avoids the need for costly remedial measures to correct problems and supports economic and environmental principles.

Strong communities, a clean and healthy environment and a strong economy are inextricably linked. Long-term prosperity, environmental health and social well-being should take precedence over short-term considerations.

The fundamental principles set out in the Provincial Policy Statement apply throughout Ontario, despite regional variations. To support our collective well-being, now and in the future, all land use must be well managed.

The Vision for Ontario's Land Use Planning System may be further articulated through planning direction for specific areas of the Province issued through provincial plans, such as those plans created under the *Niagara Escarpment Planning and Development Act* and the *Oak Ridges Moraine Conservation Act, 2001*, which are approved by the Lieutenant Governor in Council or the Minister of Municipal Affairs and Housing.

# Part V: POLICIES

## 1.0 BUILDING STRONG COMMUNITIES

Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support strong, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth.

Accordingly:

### 1.1 MANAGING AND DIRECTING LAND USE TO ACHIEVE EFFICIENT DEVELOPMENT AND LAND USE PATTERNS

1.1.1 Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
b) accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs;
c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
e) promoting cost-effective development standards to minimize land consumption and servicing costs;
f) improving accessibility for persons with disabilities and the elderly by removing and/or preventing land use barriers which restrict their full participation in society; and
g) ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and projected needs.

1.1.2 Sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas*, to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time horizon of up to 20 years. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area.

## 1.1.3 Settlement Areas

1.1.3.1 *Settlement areas* shall be the focus of growth and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within *settlement areas* shall be based on:

a) densities and a mix of land uses which:
   1. efficiently use land and resources;
   2. are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and
   3. minimize negative impacts to air quality and climate change, and promote energy efficiency in accordance with policy 1.8; and

b) a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3.

1.1.3.3 Planning authorities shall identify and promote opportunities for *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.

*Intensification* and *redevelopment* shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while maintaining appropriate levels of public health and safety.

1.1.3.5 Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.

1.1.3.6 Planning authorities shall establish and implement phasing policies to ensure that specified targets for *intensification* and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*.

1.1.3.7 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities.*

1.1.3.8 Planning authorities shall establish and implement phasing policies to ensure the orderly progression of development within *designated growth areas* and the timely

provision of the *infrastructure* and *public service facilities* required to meet current and projected needs.–

1.1.3.9 A planning authority may identify a *settlement area* or allow the expansion of a *settlement area* boundary only at the time of a *comprehensive review* and only where it has been demonstrated that:

a) sufficient opportunities for growth are not available through *intensification*, *redevelopment* and *designated growth areas* to accommodate the projected needs over the identified planning horizon;
b) the *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term and protect public health and safety;
c) in *prime agricultural areas*:
   1. the lands do not comprise *specialty crop areas*;
   2. there are no reasonable alternatives which avoid *prime agricultural areas*; and
   3. there are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*; and
d) impacts from new or expanding *settlement areas* on agricultural operations which are adjacent or close to the *settlement area* are mitigated to the extent feasible.

In determining the most appropriate direction for expansions to the boundaries of *settlement areas* or the identification of a *settlement area* by a planning authority, a planning authority shall apply the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

## 1.1.4 Rural Areas in Municipalities

1.1.4.1 In *rural areas* located in municipalities:

a) permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses;
b) development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*;
c) new land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*;
d) development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted;
e) locally-important agricultural and resource areas should be designated and protected by directing non-related development to areas where it will not constrain these uses;

f) opportunities should be retained to locate new or expanding land uses that require separation from other uses; and

g) recreational, tourism and other economic opportunities should be promoted.

### 1.1.5 Rural Areas in Territory Without Municipal Organization

1.1.5.1 In *rural areas* located in territory without municipal organization, the focus of development activity shall be activities and land uses related to the management or use of resources and resource-based recreational activities.

1.1.5.2 The establishment of new permanent townsites shall not be permitted.

1.1.5.3 In areas adjacent to and surrounding municipalities, only development that is related to the management or use of resources and resource-based recreational activity shall be permitted unless:

a) the area forms part of a planning area; and
b) it has been determined, as part of a *comprehensive review*, that the impacts of growth will not place an undue strain on the *public service facilities* and *infrastructure* provided by adjacent municipalities, regions and/or the Province.

## 1.2 COORDINATION

1.2.1 A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, or which cross lower, single and/or upper-tier municipal boundaries, including:

a) managing and/or promoting growth and development;
b) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
c) *infrastructure*, *public service facilities* and *waste management systems*;
d) ecosystem, shoreline and watershed related issues;
e) natural and human-made hazards; and
f) population, housing and employment projections, based on *regional market areas.*

1.2.2 Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:

a) identify, coordinate and allocate population, housing and employment projections for lower-tier municipalities. Allocations and projections by upper-tier municipalities shall be based on and reflect *provincial plans* where these exist;
b) identify areas where growth will be directed, including the identification of nodes and the corridors linking these nodes;

c) identify targets for *intensification* and *redevelopment* within all or any of the lower-tier municipalities, including minimum targets that should be met before expansion of the boundaries of *settlement areas* is permitted in accordance with policy 1.1.3.9;

d) where transit corridors exist or are to be developed, identify density targets for areas adjacent or in proximity to these corridors, including minimum targets that should be met before expansion of the boundaries of *settlement areas* is permitted in accordance with policy 1.1.3.9; and

e) identify and provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.

1.2.3 Where there is no upper-tier municipality, planning authorities shall ensure that policy 1.2.2 is addressed as part of the planning process, and should coordinate these matters with adjacent planning authorities.-

## 1.3 EMPLOYMENT AREAS

1.3.1 Planning authorities shall promote economic development and competitiveness by:

a) providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;

b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

c) planning for, protecting and preserving *employment areas* for current and future uses; and

d) ensuring the necessary *infrastructure* is provided to support current and projected needs.

1.3.2 Planning authorities may permit conversion of lands within *employment areas* to non-employment uses through a *comprehensive review*, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

## 1.4 HOUSING

1.4.1 To provide for an appropriate range of housing types and densities required to meet projected requirements of current and future residents of the *regional market area* identified in policy 1.4.3, planning authorities shall:

a) maintain at all times the ability to accommodate residential growth for a minimum of 10 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and

b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a 3 year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

1.4.2 Where planning is conducted by an upper-tier municipality:

a) the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and
b) the allocation of population and units by the upper-tier municipality shall be based on and reflect *provincial plans* where these exist.

1.4.3 Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the *regional market area* by:

a) establishing and implementing minimum targets for the provision of housing which is *affordable* to *low and moderate income households.* However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
b) permitting and facilitating:
   1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including *special needs* requirements; and
   2. all forms of *residential intensification* and *redevelopment* in accordance with policy 1.1.3.3;
c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of alternative transportation modes and public transit in areas where it exists or is to be developed; and
e) establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

## 1.5 PUBLIC SPACES, PARKS AND OPEN SPACE

1.5.1 Healthy, active communities should be promoted by:

a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, and facilitate pedestrian and non-motorized movement, including but not limited to, walking and cycling;
b) providing for a full range and equitable distribution of publicly-accessible built and natural settings for *recreation*, including facilities, parklands, open space areas, trails and, where practical, water-based resources;
c) providing opportunities for public access to shorelines; and
d) considering the impacts of planning decisions on provincial parks, conservation reserves and conservation areas.

## 1.6 INFRASTRUCTURE AND PUBLIC SERVICE FACILITIES

1.6.1 *Infrastructure* and *public service facilities* shall be provided in a coordinated, efficient and cost-effective manner to accommodate projected needs.

Planning for *infrastructure* and *public service facilities* shall be integrated with planning for growth so that these are available to meet current and projected needs.

1.6.2 The use of existing *infrastructure* and *public service facilities* should be optimized, wherever feasible, before consideration is given to developing new *infrastructure* and *public service facilities*.

1.6.3 *Infrastructure* and *public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services.

Where feasible, *public service facilities* should be co-located to promote cost-effectiveness and facilitate service integration.

### 1.6.4 Sewage and Water

1.6.4.1 Planning for *sewage and water services* shall:

a) direct and accommodate expected growth in a manner that promotes the efficient use of existing:
   1. *municipal sewage services* and *municipal water services*; and
   2. *private communal sewage services* and *private communal water services*, where *municipal sewage services* and *municipal water services* are not available;
b) ensure that these systems are provided in a manner that:
   1. can be sustained by the water resources upon which such services rely;
   2. is financially viable and complies with all regulatory requirements; and
   3. protects human health and the natural environment;

c) promote water conservation and water use efficiency;
d) integrate servicing and land use considerations at all stages of the planning process; and
e) subject to the hierarchy of services provided in policies 1.6.4.2, 1.6.4.3 and 1.6.4.4, allow lot creation only if there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity* within *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services*. The determination of sufficient *reserve sewage system capacity* shall include treatment capacity for hauled sewage from *private communal sewage services* and *individual on-site sewage services*.

1.6.4.2 *Municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas*. *Intensification* and *redevelopment* within *settlement areas* on existing *municipal sewage services* and *municipal water services* should be promoted, wherever feasible.

1.6.4.3 Municipalities may choose to use *private communal sewage services* and *private communal water services*, and where policy 1.6.4.4 permits, *individual on-site sewage services* and *individual on-site water services*, where:

a) *municipal sewage services* and *municipal water services* are not provided; and
b) the municipality has established policies to ensure that the services to be provided satisfy the criteria set out in policy 1.6.4.1.

1.6.4.4 *Individual on-site sewage services* and *individual on-site water services* shall be used for a new development of five or less lots or private residences where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not provided and where site conditions are suitable for the long-term provision of such services. Despite this, *individual on-site sewage services* and *individual on-site water services* may be used to service more than five lots or private residences in *rural areas* provided these services are solely for those uses permitted by policy 1.1.4.1(a) and site conditions are suitable for the long-term provision of such services.

1.6.4.5 *Partial services* shall only be permitted in the following circumstances:

a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; and
b) within *settlement areas*, to allow for infilling and rounding out of existing development on *partial services* provided that:
    1. the development is within the *reserve sewage system capacity* and *reserve water system capacity*; and
    2. site conditions are suitable for the long-term provision of such services.

### 1.6.5 Transportation Systems

1.6.5.1 *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.

1.6.5.2 Efficient use shall be made of existing and planned *infrastructure*.

1.6.5.3 Connectivity within and among *transportation systems* and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

1.6.5.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes, including commuter rail and bus.

1.6.5.5 Transportation and land use considerations shall be integrated at all stages of the planning process.

### 1.6.6 Transportation and Infrastructure Corridors

1.6.6.1 Planning authorities shall plan for and protect corridors and rights-of-way for transportation, transit and *infrastructure* facilities to meet current and projected needs.

1.6.6.2 Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

1.6.6.3 The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.

1.6.6.4 When planning for corridors and rights-of-way for significant transportation and *infrastructure* facilities, consideration will be given to the significant resources in Section 2: Wise Use and Management of Resources.

### 1.6.7 Airports

1.6.7.1 Planning for land uses in the vicinity of *airports* shall be undertaken so that:

a) the long-term operation and economic role of *airports* is protected; and
b) *airports* and *sensitive land uses* are appropriately designed, buffered and/or separated from each other to prevent adverse effects from odour, noise and other contaminants.

1.6.7.2 *Airports* shall be protected from incompatible land uses and development by:

a) prohibiting new residential *development* and other sensitive land uses in areas near *airports* above 30 NEF/NEP, as set out on maps (as revised from time to time) that have been reviewed by Transport Canada;
b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and
c) discouraging land uses which may cause a potential aviation safety hazard.

### 1.6.8 Waste Management

1.6.8.1 *Waste management systems* need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives.

*Waste management systems* shall be located and designed in accordance with provincial legislation and standards.

## 1.7 LONG-TERM ECONOMIC PROSPERITY

1.7.1 Long-term economic prosperity should be supported by:

a) optimizing the long-term availability and use of land, resources, *infrastructure* and *public service facilities*;
b) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
c) promoting the redevelopment of *brownfield sites*;
d) providing for an efficient, cost-effective, reliable *multi-modal transportation system* that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs;
e) planning so that major facilities (such as airports, transportation/transit/rail infrastructure and corridors, intermodal facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries and resource extraction activities) and *sensitive land uses* are appropriately designed, buffered and/or separated from each other to prevent *adverse effects* from odour, noise and other contaminants, and minimize risk to public health and safety;
f) providing opportunities for sustainable tourism development;
g) promoting the sustainability of the agri-food sector by protecting agricultural resources and minimizing land use conflicts; and
h) providing opportunities for increased energy generation, supply and conservation, including *alternative energy systems* and *renewable energy systems*.

## 1.8 ENERGY AND AIR QUALITY

1.8.1 Planning authorities shall support energy efficiency and improved air quality through land use and development patterns which:

a) promote compact form and a structure of nodes and corridors;
b) promote the use of public transit and other alternative transportation modes in and between residential, employment (including commercial, industrial and institutional uses) and other areas where these exist or are to be developed;
c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by public transit where this exists or is to be developed, or designing these to facilitate the establishment of public transit in the future;
d) improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion; and
e) promote design and orientation which maximize the use of alternative or renewable energy, such as solar and wind energy, and the mitigating effects of vegetation.

1.8.2 Increased energy supply should be promoted by providing opportunities for energy generation facilities to accommodate current and projected needs, and the use of *renewable energy systems* and *alternative energy systems*, where feasible.

1.8.3 *Alternative energy systems* and *renewable energy systems* shall be permitted in *settlement areas*, *rural areas* and *prime agricultural areas* in accordance with *provincial and federal requirements*. In *rural areas* and *prime agricultural areas*, these systems should be designed and constructed to minimize impacts on agricultural operations.

# 2.0 WISE USE AND MANAGEMENT OF RESOURCES

Ontario's long-term prosperity, environmental health, and social well-being depend on protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits.

Accordingly:

## 2.1 NATURAL HERITAGE

2.1.1 Natural features and areas shall be protected for the long term.

2.1.2 The diversity and connectivity of natural features in an area, and the long-term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas*, *surface water features* and *ground water features.*

2.1.3 *Development* and *site alteration* shall not be permitted in:

a) *significant* habitat of *endangered species* and *threatened species*;
b) *significant wetlands* in Ecoregions 5E, 6E and 7E[1]; and
c) *significant coastal wetlands*.

2.1.4 *Development* and *site alteration* shall not be permitted in:

a) *significant wetlands* in the Canadian Shield north of Ecoregions 5E, 6E and 7E[1];
b) *significant woodlands* south and east of the Canadian Shield[2];
c) *significant valleylands* south and east of the Canadian Shield[2];
d) *significant wildlife habitat*; and
e) *significant areas of natural and scientific interest*

unless it has been demonstrated that there will be no *negative impacts* on the natural features or their *ecological functions*.

2.1.5 *Development* and *site alteration* shall not be permitted in *fish habitat* except in accordance with *provincial and federal requirements*.

2.1.6 *Development* and *site alteration* shall not be permitted on *adjacent lands* to the *natural heritage features and areas* identified in policies 2.1.3, 2.1.4 and 2.1.5 unless the *ecological function* of the *adjacent lands* has been evaluated and it has been demonstrated that there will be no *negative impacts* on the natural features or on their *ecological functions*.

[1] Ecoregions 5E, 6E and 7E are shown on Figure 1.
[2] Areas south and east of the Canadian Shield are shown on Figure 1.

2.1.7 Nothing in policy 2.1 is intended to limit the ability of existing agricultural uses to continue.

## 2.2 WATER

2.2.1 Planning authorities shall protect, improve or restore the *quality and quantity of water* by:

a) using the *watershed* as the ecologically meaningful scale for planning;
b) minimizing potential *negative impacts*, including cross-jurisdictional and cross-*watershed* impacts;
c) identifying *surface water features*, *ground water features*, *hydrologic functions* and *natural heritage features and areas* which are necessary for the ecological and hydrological integrity of the *watershed*;
d) implementing necessary restrictions on *development* and *site alteration* to:
   1. protect all municipal drinking water supplies and *designated vulnerable areas*; and
   2. protect, improve or restore *vulnerable* surface and ground water, *sensitive surface water features* and *sensitive ground water features*, and their *hydrologic functions*;
e) maintaining linkages and related functions among *surface water features*, *ground water features*, *hydrologic functions* and *natural heritage features and areas*;
f) promoting efficient and sustainable use of water resources, including practices for water conservation and sustaining water quality; and
g) ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.

2.2.2 *Development* and *site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved or restored.

Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore *sensitive surface water features*, *sensitive ground water features*, and their *hydrologic functions*.

## 2.3 AGRICULTURE

2.3.1 *Prime agricultural areas* shall be protected for long-term use for agriculture.

*Prime agricultural areas* are areas where *prime agricultural lands* predominate. *Specialty crop areas* shall be given the highest priority for protection, followed by Classes 1, 2 and 3 soils, in this order of priority.

2.3.2 Planning authorities shall designate *specialty crop areas* in accordance with evaluation procedures established by the Province, as amended from time to time.

### 2.3.3 Permitted Uses

2.3.3.1 In *prime agricultural areas*, permitted uses and activities are: *agricultural uses, secondary uses* and *agriculture-related uses.*

Proposed new *secondary uses* and *agriculture-related uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. These uses shall be limited in scale, and criteria for these uses shall be included in municipal planning documents as recommended by the Province, or based on municipal approaches which achieve the same objective.

2.3.3.2 In *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards.

2.3.3.3 New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the *minimum distance separation formulae.*

### 2.3.4 Lot Creation and Lot Adjustments

2.3.4.1 Lot creation in *prime agricultural areas* is discouraged and may only be permitted for:

a) *agricultural uses*, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
b) *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*;
c) a *residence surplus to a farming operation* as a result of farm consolidation, provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and
d) *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

2.3.4.2 Lot adjustments in *prime agricultural areas* may be permitted for *legal or technical reasons*.

2.3.4.3 The creation of new residential lots in *prime agricultural areas* shall not be permitted, except in accordance with policy 2.3.4.1(c).

### 2.3.5 Removal of Land from Prime Agricultural Areas

2.3.5.1 Planning authorities may only exclude land from *prime agricultural areas* for:

a) expansions of or identification of *settlement areas* in accordance with policy 1.1.3.9;
b) extraction of *minerals*, *petroleum resources* and *mineral aggregate resources*, in accordance with policies 2.4 and 2.5; and
c) limited non-residential uses, provided that:
   1. the land does not comprise a *specialty crop area*;
   2. there is a demonstrated need within the planning horizon provided for in policy 1.1.2 for additional land to be designated to accommodate the proposed use;
   3. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
   4. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.

2.3.5.2 Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands should be mitigated to the extent feasible.

## 2.4 MINERALS AND PETROLEUM

2.4.1 *Minerals* and *petroleum resources* shall be protected for long-term use.

### 2.4.2 Protection of Long-Term Resource Supply

2.4.2.1 *Mineral mining operations* and *petroleum resource operations* shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

2.4.2.2 In areas adjacent to or in known *mineral deposits* or known *petroleum resources*, and in *significant areas of mineral potential* and *significant areas of petroleum potential*, *development* and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

a) resource use would not be feasible; or
b) the proposed land use or development serves a greater long-term public interest; and
c) issues of public health, public safety and environmental impact are addressed.

### 2.4.3 Rehabilitation

2.4.3.1 Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.

### 2.4.4 Extraction in Prime Agricultural Areas

2.4.4.1 Extraction of *minerals* and *petroleum resources* is permitted in *prime agricultural areas*, provided that the site is rehabilitated.

## 2.5 MINERAL AGGREGATE RESOURCES

2.5.1 *Mineral aggregate resources* shall be protected for long-term use.

### 2.5.2 Protection of Long-Term Resource Supply

2.5.2.1 As much of the *mineral aggregate resources* as is realistically possible shall be made available as close to markets as possible.

Demonstration of need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* locally or elsewhere.

2.5.2.2 Extraction shall be undertaken in a manner which minimizes social and environmental impacts.

2.5.2.3 The conservation of *mineral aggregate resources* should be promoted by making provision for the recovery of these resources, wherever feasible.

2.5.2.4 *Mineral aggregate operations* shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing *mineral aggregate operations* shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the *Planning Act.* When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.

2.5.2.5 In areas adjacent to or in known *deposits of mineral aggregate resources*, *development* and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

a) resource use would not be feasible; or
b) the proposed land use or development serves a greater long-term public interest; and
c) issues of public health, public safety and environmental impact are addressed.

### 2.5.3 Rehabilitation

2.5.3.1 Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, and to recognize the interim nature of extraction. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.

2.5.3.2 In parts of the Province not designated under the *Aggregate Resources Act*, rehabilitation standards that are compatible with those under the Act should be adopted for extraction operations on private lands.

### 2.5.4 Extraction in Prime Agricultural Areas

2.5.4.1 In *prime agricultural areas*, on *prime agricultural land*, extraction of *mineral aggregate resources* is permitted as an interim use provided that rehabilitation of the site will be carried out so that substantially the same areas and same average soil quality for agriculture are restored.

On these *prime agricultural lands*, complete agricultural rehabilitation is not required if:

a) there is a substantial quantity of *mineral aggregate resources* below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
b) other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 to 7 soils, resources on lands identified as *designated growth areas*, and resources on *prime agricultural lands* where rehabilitation is feasible. Where no other alternatives are found, *prime agricultural lands* shall be protected in this order of priority: *specialty crop areas*, Canada Land Inventory Classes 1, 2 and 3; and
c) agricultural rehabilitation in remaining areas is maximized.

### 2.5.5 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

2.5.5.1 *Wayside pits and quarries, portable asphalt plants* and *portable concrete plants* used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the *Planning Act* in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

## 2.6 CULTURAL HERITAGE AND ARCHAEOLOGY

2.6.1 *Significant built heritage resources* and *significant cultural heritage landscapes* shall be *conserved.*

2.6.2 *Development* and *site alteration* shall only be permitted on lands containing *archaeological resources* or *areas of archaeological potential* if the *significant archaeological resources* have been conserved by removal and documentation, or by preservation on site. Where *significant archaeological resources* must be preserved on site, only *development* and *site alteration* which maintain the heritage integrity of the site may be permitted.

2.6.3 *Development* and *site alteration* may be permitted on *adjacent lands* to *protected heritage property* where the proposed *development* and *site alteration* has been evaluated and it has been demonstrated that the *heritage attributes* of the *protected heritage property* will be *conserved.*

Mitigative measures and/or alternative development approaches may be required in order to conserve the *heritage attributes* of the *protected heritage property* affected by the adjacent *development* or *site alteration*.

# 3.0 PROTECTING PUBLIC HEALTH AND SAFETY

Ontario's long-term prosperity, environmental health and social well-being depend on reducing the potential for public cost or risk to Ontario's residents from natural or human-made hazards. Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage.

Accordingly:

## 3.1 NATURAL HAZARDS

3.1.1 Development shall generally be directed to areas outside of:

a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards*, *erosion hazards* and/or *dynamic beach hazards*;
b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
c) *hazardous sites.*

3.1.2 *Development* and *site alteration* shall not be permitted within:

a) the *dynamic beach hazard*;
b) *defined portions of the one hundred year flood level along connecting channels* (the St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
c) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards*, *erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
d) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.

3.1.3 Despite policy 3.1.2, *development* and *site alteration* may be permitted in certain areas identified in policy 3.1.2:

a) in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the site-specific policies or boundaries applying to a *Special Policy Area*, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources prior to the approval authority approving such changes or modifications; or
b) where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.

3.1.4 *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:

a) an institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion;
b) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion; and
c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

3.1.5 Where the two zone concept for *flood plains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources.

3.1.6 Further to policy 3.1.5, and except as prohibited in policies 3.1.2 and 3.1.4, *development* and *site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor so as to be managed or mitigated in accordance with provincial standards, as determined by the demonstration and achievement of all of the following:

a) *development* and *site alteration* is carried out in accordance with *floodproofing standards*, *protection works standards*, and *access standards*;
b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
c) new hazards are not created and existing hazards are not aggravated; and
d) no adverse environmental impacts will result.

## 3.2 HUMAN-MADE HAZARDS

3.2.1 Development on, abutting or adjacent to lands affected by *mine hazards*; *oil, gas and salt hazards*; or former *mineral mining operations*, *mineral aggregate operations* or *petroleum resource operations* may be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed.

3.2.2 Contaminated sites shall be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.

# 4.0 IMPLEMENTATION AND INTERPRETATION

4.1 This Provincial Policy Statement applies to all applications, matters or proceedings commenced on or after March 1, 2005.

4.2 In accordance with Section 3 of the *Planning Act*, as amended by the *Strong Communities (Planning Amendment) Act, 2004*, a decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Municipal Board, in respect of the exercise of any authority that affects a planning matter, "shall be consistent with" this Provincial Policy Statement.

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government "shall be consistent with" this Provincial Policy Statement.

4.3 This Provincial Policy Statement shall be read in its entirety and all relevant policies are to be applied to each situation.

4.4 In implementing the Provincial Policy Statement, the Minister of Municipal Affairs and Housing may take into account other considerations when making decisions to support strong communities, a clean and healthy environment and the economic vitality of the Province.

4.5 The official plan is the most important vehicle for implementation of this Provincial Policy Statement.

Comprehensive, integrated and long-term planning is best achieved through municipal official plans. Municipal official plans shall identify provincial interests and set out appropriate land use designations and policies. Municipal official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions.

Municipal official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of a municipal official plan.

4.6 The policies of this Provincial Policy Statement represent minimum standards. This Provincial Policy Statement does not prevent planning authorities and decision-makers from going beyond the minimum standards established in specific policies, unless doing so would conflict with any policy of this Provincial Policy Statement.

4.7 A wide range of legislation and regulations may apply to decisions with respect to *Planning Act* applications. In some cases, a *Planning Act* proposal may also require approval under other legislation or regulation.

4.8 In addition to land use approvals under the *Planning Act*, *infrastructure* may also require approval under other legislation and regulations, including the *Environmental Assessment Act*; the *Canadian Environmental Assessment Act, 1992*; the *Environmental Protection Act*; the *Ontario Energy Board Act, 1998*; the *Ontario Water Resources Act*; the *Conservation Authorities Act*; the *Ontario Heritage Act*; and the *Safe Drinking Water Act, 2002*. An environmental assessment process may be applied to new infrastructure and modifications to existing infrastructure under applicable legislation.

4.9 *Provincial plans* shall take precedence over policies in this Provincial Policy Statement to the extent of any conflict. Examples of these are plans created under the *Niagara Escarpment Planning and Development Act* and the *Oak Ridges Moraine Conservation Act, 2001*.

4.10 The Province, in consultation with municipalities, other public bodies and stakeholders shall identify performance indicators for measuring the effectiveness of some or all of the policies. The Province shall monitor their implementation, including reviewing performance indicators concurrent with any review of this Provincial Policy Statement.

4.11 Municipalities are encouraged to establish performance indicators to monitor the implementation of the policies in their official plans.

# 5.0 FIGURE 1

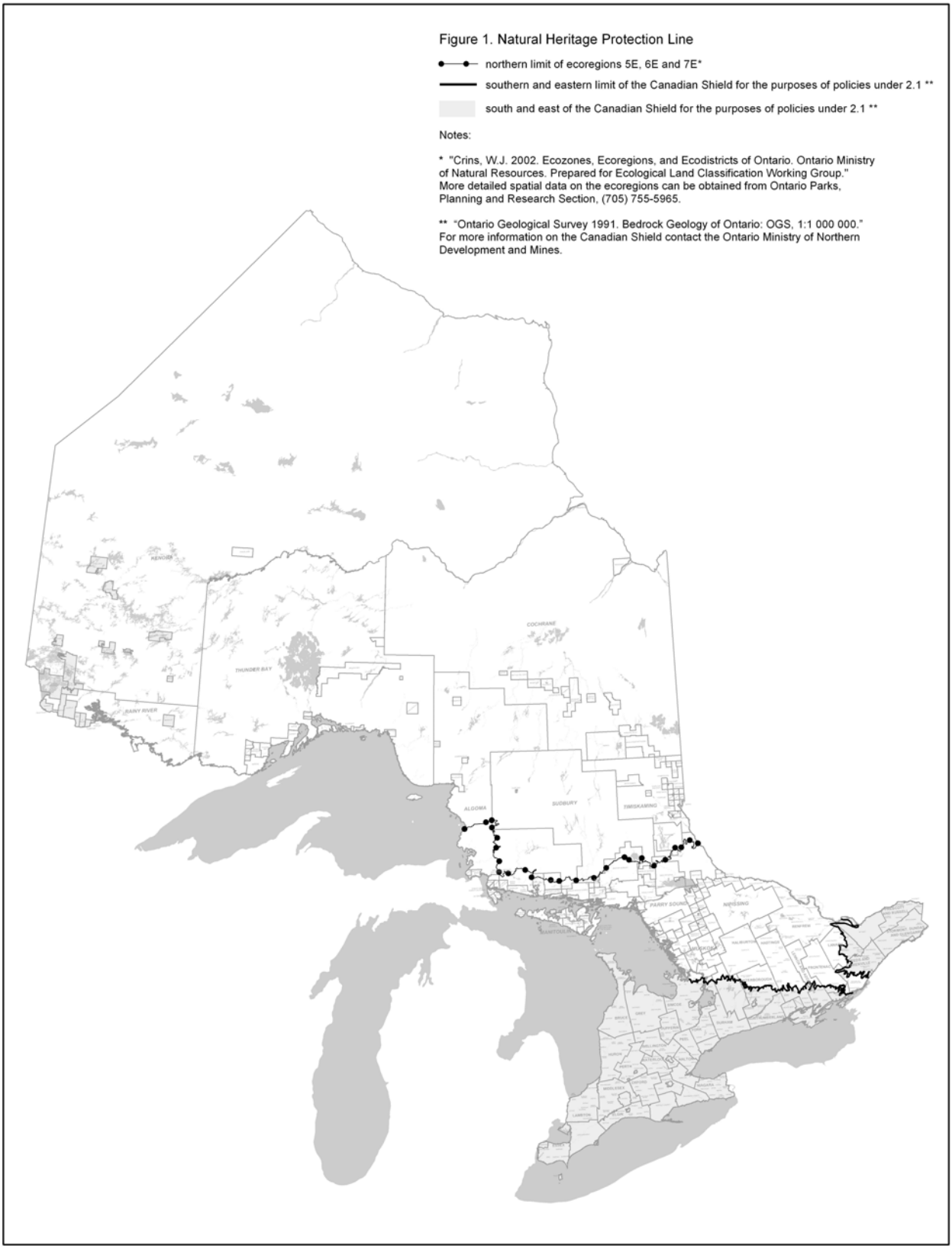
Figure 1. Natural Heritage Protection Line
northern limit of ecoregions 5E, 6E and 7E*
southern and eastern limit of the Canadian Shield for the purposes of policies under 2.1 **
south and east of the Canadian Shield for the purposes of policies under 2.1 **
Notes:
* "Crins, W.J. 2002. Ecozones, Ecoregions, and Ecodistricts of Ontario. Ontario Ministry of Natural Resources. Prepared for Ecological Land Classification Working Group." More detailed spatial data on the ecoregions can be obtained from Ontario Parks, Planning and Research Section, (705) 755-5965.
** "Ontario Geological Survey 1991. Bedrock Geology of Ontario: OGS, 1:1 000 000." For more information on the Canadian Shield contact the Ontario Ministry of Northern Development and Mines.
KENORA
THUNDER BAY
RAINY RIVER
COCHRANE
ALGOMA
SUDBURY
TIMISKAMING
PARRY SOUND
NIPISSING

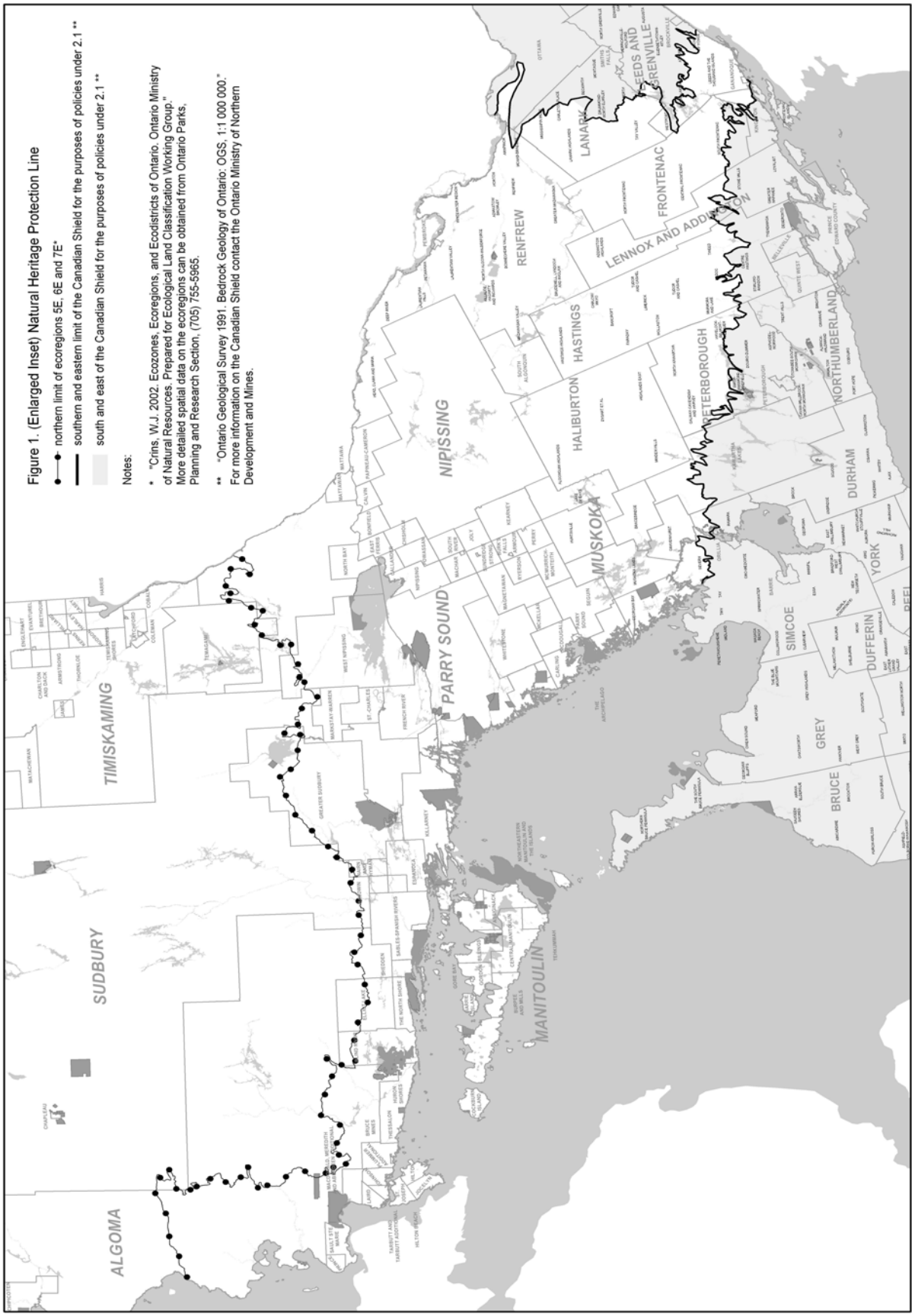


Figure 1. (Enlarged Inset) Natural Heritage Protection Line

northern limit of ecoregions 5E, 6E and 7E*

southern and eastern limit of the Canadian Shield for the purposes of policies under 2.1 **

south and east of the Canadian Shield for the purposes of policies under 2.1 **

Notes:

* "Crins, W.J. 2002. Ecozones, Ecoregions, and Ecodistricts of Ontario. Ontario Ministry of Natural Resources. Prepared for Ecological Land Classification Working Group." More detailed spatial data on the ecoregions can be obtained from Ontario Parks, Planning and Research Section, (705) 755-5965.

** "Ontario Geological Survey 1991. Bedrock Geology of Ontario. OGS, 1:1 000 000." For more information on the Canadian Shield contact the Ontario Ministry of Northern Development and Mines.

# 6.0 DEFINITIONS

**Access standards:** means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of *flooding hazards*, *erosion hazards* and/or *other water-related hazards*.

**Adjacent lands:** means
a) for the purposes of policy 2.1, those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives; and
b) for the purposes of policy 2.6.3, those lands contiguous to a *protected heritage property* or as otherwise defined in the municipal official plan.

**Adverse effects:** as defined in the *Environmental Protection Act*, means one or more of:
a) impairment of the quality of the natural environment for any use that can be made of it;
b) injury or damage to property or plant or animal life;
c) harm or material discomfort to any person;
d) an adverse effect on the health of any person;
e) impairment of the safety of any person;
f) rendering any property or plant or animal life unfit for human use;
g) loss of enjoyment of normal use of property; and
h) interference with normal conduct of business.

**Affordable:** means
a) in the case of ownership housing, the least expensive of:
   1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or
   2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the *regional market area*;
b) in the case of rental housing, the least expensive of:
   1. a unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or
   2. a unit for which the rent is at or below the average market rent of a unit in the *regional market area*.

**Agricultural uses:** means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

**Agriculture-related uses:** means those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.

**Airports:** means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

**Alternative energy systems:** means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

**Archaeological resources:** includes artifacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

**Areas of archaeological potential:** means areas with the likelihood to contain *archaeological resources*. Criteria for determining archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

**Areas of mineral potential:** means areas favourable to the discovery of *mineral deposits* due to geology, the presence of known *mineral deposits* or other technical evidence.

**Areas of natural and scientific interest (ANSI):** means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

**Areas of petroleum potential:** means areas favourable to the discovery of *petroleum resources* due to geology, the presence of known *petroleum resources* or other technical evidence.

**Brownfield sites:** means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

**Built heritage resources:** means one or more *significant* buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the *Ontario Heritage Act*, or listed by local, provincial or federal jurisdictions.

**Coastal wetland:** means

a) any *wetland* that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or
b) any other *wetland* that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

**Comprehensive review:** means

a) for the purposes of policies 1.1.3.9 and 1.3.2, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:
    1. is based on a review of population and growth projections and which reflect projections and allocations by upper-tier municipalities and *provincial plans*, where applicable; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests;
    2. utilizes opportunities to accommodate projected growth through *intensification* and *redevelopment*;
    3. confirms that the lands to be developed do not comprise *specialty crop areas* in accordance with policy 2.3.2;
    4. is integrated with planning for *infrastructure* and *public service facilities*; and
    5. considers cross-jurisdictional issues.
b) for the purposes of policy 1.1.5, means a review undertaken by a planning authority or comparable body which:
    1. addresses long-term population projections, *infrastructure* requirements and related matters;
    2. confirms that the lands to be developed do not comprise *specialty crop areas* in accordance with policy 2.3.2; and
    3. considers cross-jurisdictional issues.

**Conserved:** means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.

**Cultural heritage landscape:** means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.

**Defined portions of the one hundred year flood level along connecting channels:** means those areas which are critical to the conveyance of the flows associated with the *one hundred year flood level* along the St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where *development* or *site alteration* will create *flooding hazards*, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

**Deposits of mineral aggregate resources:** means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

**Designated and available:** for the purposes of policy 1.4.1(a), means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g.,

secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be designated for the purposes of this definition.

**Designated growth areas:** means lands within *settlement areas* designated in an official plan for growth over the long-term planning horizon provided in policy 1.1.2, but which have not yet been fully developed. *Designated growth areas* include lands which are *designated and available* for residential growth in accordance with policy 1.4.1(a), as well as lands required for employment and other uses.

**Designated vulnerable area:** means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source that may be impacted by activities or events.

**Development:** means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*, but does not include:

a) activities that create or maintain *infrastructure* authorized under an environmental assessment process;
b) works subject to the *Drainage Act*; or
c) for the purposes of policy 2.1.3(b), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 2.1.4(a).

**Dynamic beach hazard:** means areas of inherently unstable accumulations of shoreline sediments along the *Great Lakes - St. Lawrence River System* and *large inland lakes*, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *flooding hazard* limit plus a dynamic beach allowance.

**Ecological function:** means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

**Employment area:** means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

**Endangered species:** means a species that is listed or categorized as an "Endangered Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

**Erosion hazard:** means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over an one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

**Fish:** means fish, which as defined in S.2 of the *Fisheries Act*, c. F-14, as amended, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

**Fish habitat:** as defined in the *Fisheries Act*, c. F-14**,** means spawning grounds and nursery, rearing, food supply, and migration areas on which *fish* depend directly or indirectly in order to carry out their life processes.

**Flood fringe:** for *river, stream and small inland lake systems*, means the outer portion of the *flood plain* between the *floodway* and the *flooding hazard* limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the *floodway*.

**Flood plain:** for *river stream, and small inland lake systems*, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *flooding hazards.*

**Flooding hazard:** means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

a) Along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, the *flooding hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave uprush* and *other water-related hazards*;
b) Along *river, stream and small inland lake systems*, the *flooding hazard* limit is the greater of:
    1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the

Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;

2. the *one hundred year flood*; and
3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;

except where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

**Floodproofing standard:** means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate *flooding hazards*, *wave uprush* and *other water-related hazards* along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, and *flooding hazards* along *river, stream* and *small inland lake systems*.

**Floodway:** for *river, stream and small inland lake systems*, means the portion of the *flood plain* where *development* and *site alteration* would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the *floodway* is the entire contiguous *flood plain*.

Where the two zone concept is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the *flood plain* is called the *flood fringe*.

**Great Lakes - St. Lawrence River System:** means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

**Ground water feature:** refers to water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

**Hazardous lands:** means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the *Great Lakes - St. Lawrence River System*, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard*, *erosion hazard* or *dynamic beach hazard* limits. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard*, *erosion hazard* or *dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard* or *erosion hazard* limits.

**Hazardous sites:** means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

**Hazardous substances:** means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

**Heritage attributes:** means the principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a *protected heritage property*.

**Hydrologic function:** means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

**Individual on-site sewage services:** means individual, autonomous sewage disposal systems within the meaning of s.8.1.2, O.Reg. 403/97, under the *Building Code Act, 1992* that are owned, operated and managed by the owner of the property upon which the system is located.

**Individual on-site water services:** means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

**Infrastructure:** means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

**Intensification:** means the development of a property, site or area at a higher density than currently exists through:

a) *redevelopment*, including the reuse of *brownfield sites*;
b) the development of vacant and/or underutilized lots within previously developed areas;
c) infill development; and
d) the expansion or conversion of existing buildings.

**Large inland lakes:** means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

**Legal or technical reasons:** for the purposes of policy 2.3.4.2, means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

**Low and moderate income households:** means

a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the *regional market area*; or
b) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the *regional market area*.

**Mine hazard:** means any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

**Minerals:** means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

**Mineral aggregate operation:** means

a) lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*, or successors thereto;
b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
c) associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

**Mineral aggregate resources:** means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

**Mineral deposits:** means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

**Mineral mining operation:** means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

**Minimum distance separation formulae:** means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

**Multi-modal transportation system:** means a transportation system which may include several

forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid transit, rail (such as commuter and freight), air and marine.

**Municipal sewage services:** means a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality.

**Municipal water services:** means a municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002.*

**Natural heritage features and areas:** means features and areas, including *significant wetlands*, *significant coastal wetlands*, *fish habitat*, *significant woodlands* south and east of the Canadian Shield, *significant valleylands* south and east of the Canadian Shield, *significant* habitat of *endangered species* and *threatened species*, *significant wildlife habitat*, and *significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

**Natural heritage system:** means a system made up of *natural heritage features and areas*, linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state.

**Negative impacts:** means

a) in regard to policy 2.2, degradation to the *quality and quantity of water*, *sensitive surface water features* and *sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities;
b) in regard to *fish habitat*, the harmful alteration, disruption or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*, using the guiding principle of no net loss of productive capacity; and
c) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.

**Normal farm practices:** means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

**Oil, gas and salt hazards:** means any feature of a well or work as defined under the *Oil, Gas and Salt Resources Act*, or any related disturbance of the ground that has not been rehabilitated.

**One hundred year flood:** for *river, stream and small inland lake systems*, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

**One hundred year flood level:** means

a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
b) in the connecting channels (St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
c) for large inland lakes, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups.

**Other water-related hazards:** means water-associated phenomena other than *flooding hazards* and *wave uprush* which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

**Partial services:** means

a) *municipal sewage services* or *private communal sewage services* and *individual on-site water services*; or
b) *municipal water services* or *private communal water services* and *individual on-site sewage services*.

**Petroleum resource operations:** means oil, gas and brine wells, and associated facilities, oil field brine

disposal wells and associated facilities, and facilities for the underground storage of natural gas and other hydrocarbons.

**Petroleum resources:** means oil, gas, and brine resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons.

**Planned corridors:** means corridors identified through *provincial plans* or preferred alignment(s) determined through the *Environmental Assessment Act* process which are required to meet projected needs.

**Portable asphalt plant:** means a facility
a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

**Portable concrete plant:** means a building or structure
a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

**Prime agricultural area:** means areas where *prime agricultural lands* predominate. This includes: areas of *prime agricultural lands* and associated Canada Land Inventory Class 4-7 soils; and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture and Food using evaluation procedures established by the Province as amended from time to time, or may also be identified through an alternative agricultural land evaluation system approved by the Province.

**Prime agricultural land:** means land that includes *specialty crop areas* and/or Canada Land Inventory Classes 1, 2, and 3 soils, in this order of priority for protection.

**Private communal sewage services:** means a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

**Private communal water services:** means a non-municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

**Protected heritage property:** means real property designated under Parts IV, V or VI of the *Ontario Heritage Act*; heritage conservation easement property under Parts II or IV of the *Ontario Heritage Act*; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

**Protection works standards:** means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by *flooding hazards*, *erosion hazards* and *other water-related hazards*, and to allow access for their maintenance and repair.

**Provincial and federal requirements:** means
a) in regard to policy 1.8.3, legislation and policies administered by the federal or provincial governments for the purpose of protecting the environment from potential impacts associated with energy facilities and ensuring that the necessary approvals are obtained; and
b) in regard to policy 2.1.5, legislation and policies administered by the federal or provincial governments for the purpose of the protection of *fish* and *fish habitat*, and related, scientifically established standards such as water quality criteria for protecting lake trout populations.

**Provincial plan:** means a plan approved by the Lieutenant Governor in Council or the Minister of Municipal Affairs and Housing, but does not include municipal official plans.

**Public service facilities:** means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. *Public service facilities* do not include *infrastructure.*

**Quality and quantity of water:** is measured by indicators such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

**Recreation:** means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

**Redevelopment:** means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

**Regional market area:** refers to an area, generally broader than a lower-tier municipality, that has a high degree of social and economic interaction. In southern Ontario, the upper or single-tier municipality will normally serve as the *regional market area*. Where a *regional market area* extends significantly beyond upper or single-tier boundaries, it may include a combination of upper, single and/or lower-tier municipalities.

**Renewable energy systems:** means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.

**Reserve sewage system capacity:** means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development. For the purposes of policy 1.6.4.1(e), reserve capacity for *private communal sewage services* and *individual on-site sewage services* is considered sufficient if the hauled sewage from the development can be treated or disposed of at sites approved under the *Environmental Protection Act* or the *Ontario Water Resources Act*, but not by land-applying untreated, hauled sewage.

**Reserve water system capacity:** means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved development.

**Residence surplus to a farming operation:** means an existing farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

**Residential intensification:** means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

a) redevelopment, including the redevelopment of *brownfield sites*;
b) the development of vacant or underutilized lots within previously developed areas;
c) infill development;
d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses.

**River, stream and small inland lake systems:** means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

**Rural areas:** means lands in the rural area which are located outside *settlement areas* and which are outside *prime agricultural areas.*

**Secondary uses:** means uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.

**Sensitive:** in regard to *surface water features* and *ground water features*, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

**Sensitive land uses:** means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby major facility. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

**Settlement areas:** means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

a) built up areas where development is concentrated and which have a mix of land uses; and
b) lands which have been designated in an official plan for development over the long term planning horizon provided for in policy 1.1.2. In

cases where land in *designated growth areas* is not available, the *settlement area* may be no larger than the area where development is concentrated.

**Sewage and water services:** includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

**Significant:** means

a) in regard to *wetlands*, *coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;

b) in regard to the habitat of *endangered species* and *threatened species*, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of *endangered species* or *threatened species*, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;

c) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history;

d) in regard to other features and areas in policy 2.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*;

e) in regard to *mineral* potential, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index;

f) in regard to potential for *petroleum resources*, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time; and

g) in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people.

Criteria for determining significance for the resources identified in sections (c)-(g) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

**Site alteration:** means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

For the purposes of policy 2.1.3(b), *site alteration* does not include underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as in the *Mining Act*. Instead, those matters shall be subject to policy 2.1.4(a).

**Special needs:** means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *special needs* housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for the elderly.

**Special policy area:** means an area within a community that has historically existed in the *flood plain* and where site-specific policies, approved by both the Ministers of Natural Resources and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning *development*. The criteria and procedures for approval are established by the Province.

A *Special Policy Area* is not intended to allow for new or intensified development and site alteration, if a community has feasible opportunities for development outside the *flood plain*.

**Specialty crop area:** means areas designated using evaluation procedures established by the province, as amended from time to time, where specialty crops such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil lands are predominantly grown, usually resulting from:

a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both; and/or
b) a combination of farmers skilled in the production of specialty crops, and of capital investment in related facilities and services to produce, store, or process specialty crops.

**Surface water feature:** refers to water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

**Threatened species:** means a species that is listed or categorized as a "Threatened Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

**Transportation systems:** means a system consisting of corridors and rights-of way for the movement of people and goods, and associated transportation facilities including transit stops and stations, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, intermodal terminals, harbours, and associated facilities such as storage and maintenance.

**Valleylands:** means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

**Vulnerable:** means surface and groundwater that can be easily changed or impacted by activities or events, either by virtue of their vicinity to such activities or events or by permissive pathways between such activities and the surface and/or groundwater.

**Waste management system:** means sites and facilities to accommodate solid waste from one or more municipalities and includes landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots.

**Watershed:** means an area that is drained by a river and its tributaries.

**Wave uprush:** means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

**Wayside pits and quarries:** means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

**Wetlands:** means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

**Wildlife habitat:** means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

**Woodlands:** means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels.

# Notes

# Appendix B1 - Central Business District (CBD) Park Plan

**Park Classification**
- City Wide
- District
- Neighbourhood
- Parkette
- School Park Property
- Cemetery

**Trail Classification**
- Existing Snowmobile Trail
- Existing Trail and Major Sidewalk
- Future Trails
- Historical La Vase Portage

**Land Use**
- Open Space
- Lake Access

**Symbols**
- Highway
- Major Road
- Railway
- River / Creek
- Lake
- Intermittent Water
- Planning District Boundary
- Municipal Boundary
- Settlement Area Boundary
- Trout Lake Watershed

This appendix to the Official Plan is attached for information purposes, and does not form part of the Official Plan.
This appendix should be read in conjunction with the text of the Official Plan.

N

1:8,000

Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)

Metres: 0 50 100 200 300 400
Feet: 0 250 500 1,000 1,500

Design and Developed by Planning Services, Engineering and Environmental Services, Parks, Recreation, and Lesure and Information Systems Departments.
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Data Sources:
City of North Bay GIS
Municipal Property Assessment Corporation (MPAC)
Ontario Ministry of Natural Resources (OMNR)

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This is not a legal plan or survey and is not to be used as a navigational aid.
Published Monday, January 23, 2012
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618000 619000 5131000 5130000 5129000

Old City

Pinewood

CASSELLS ST

Copeland St Parkette

Mother Saint Bride Elementary School

MAIN ST W

ALGONQUIN AVE

Richardson's Fountain Parkette

CPR

CASSELLS ST

Main St & Cassells St Parkette

McINTYRE ST W

Memorial Park

Main St & Fraser St Parkette

Waterfront Park

OAK ST W

OAK ST E

McINTYRE ST E

FISHER ST

City Hall Parkette

Waterfront Park

Central Business District (CBD)

St. Luke Elementary School (Frm. Joseph)

Kiwanis Playground

MAIN ST E

Lake Nipissing

Sandpiper Creek

CNR

McINTYRE ST E

LAKESHORE DR

West Ferris

## Future Park Requirements

- Future District Park
- Future City Wide Park
- Future Linear Park Connection
- Future Neighbourhood Park
- Future Tot-Lot / Parkette
- New Parkette Opportunity

**5% Parkland Holdings**
- Acquired
- Proposed
- Future Neighbourhood
- Field Agreement

**Appendix B1**

# Appendix B2 - Old City Park Plan

**Park Classification**
- City Wide
- District
- Neighbourhood
- Parkette
- School Park Property
- Cemetery

**Trail Classification**
- Existing Snowmobile Trail
- Existing Trail and Major Sidewalk
- Future Trails
- Historical La Vase Portage

**Land Use**
- Open Space
- Lake Access

**Symbols**
- Highway
- Major Road
- Railway
- River / Creek
- Lake
- Intermittent Water
- Planning District Boundary
- Municipal Boundary
- Settlement Area Boundary
- Trout Lake Watershed

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N

1:10,000

Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)

Metres: 0 62.5 125 250 375 500

Feet: 0 250 500 1,000 1,500

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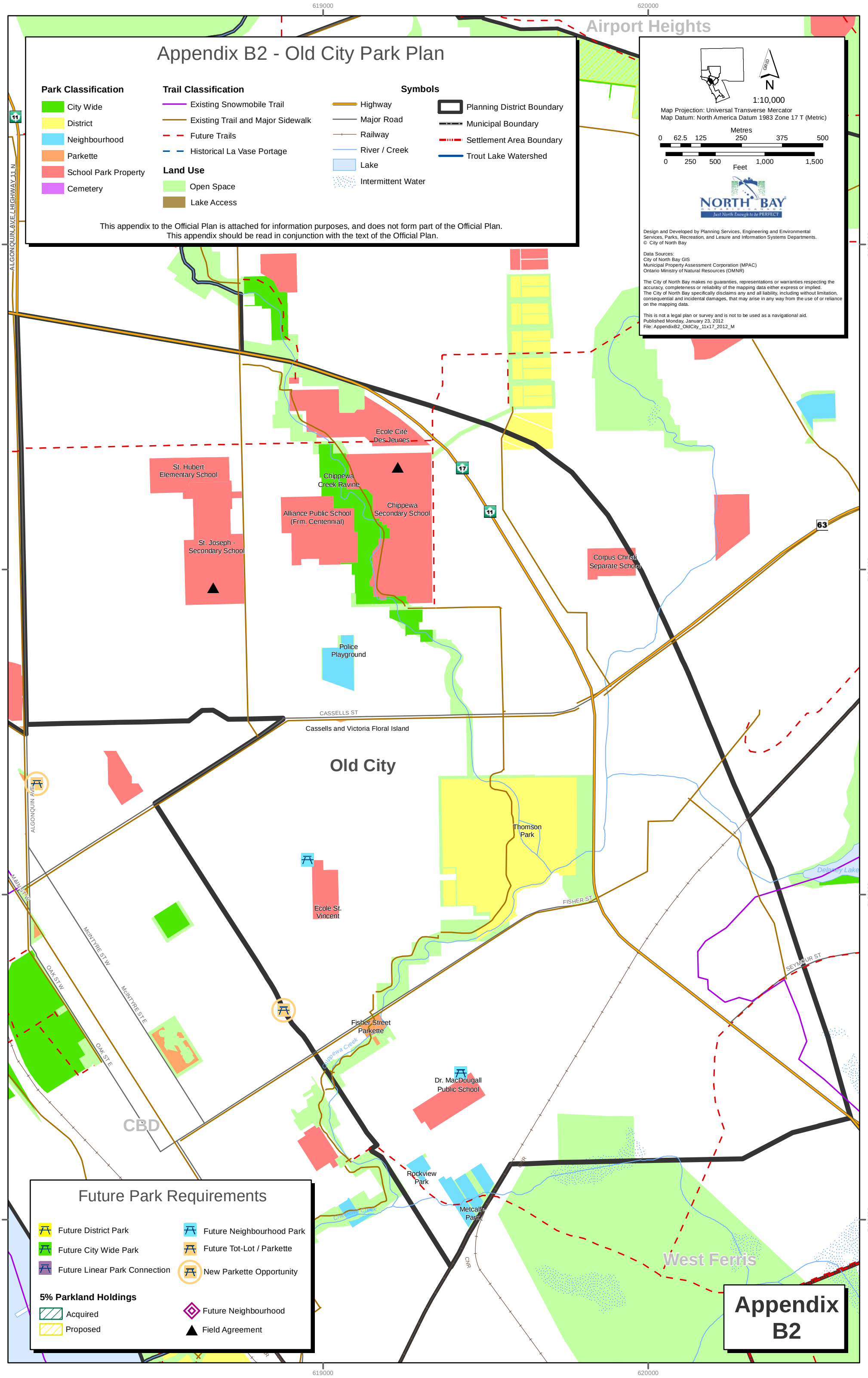
Published Monday, January 23, 2012
File: AppendixB2_OldCity_11x17_2012_M

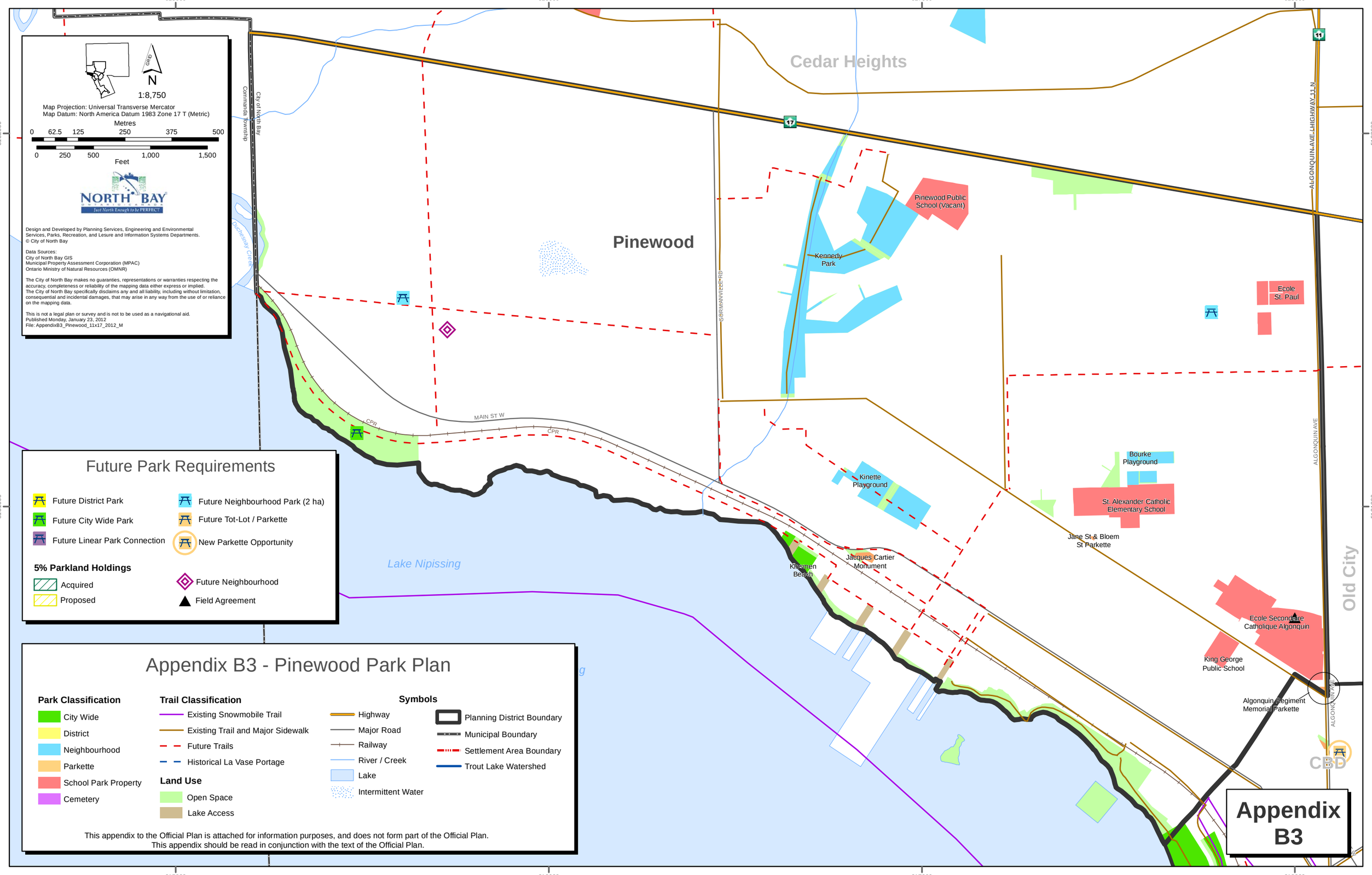



## Future Park Requirements

- Future District Park
- Future City Wide Park
- Future Linear Park Connection
- Future Neighbourhood Park
- Future Tot-Lot / Parkette
- New Parkette Opportunity

**5% Parkland Holdings**
- Acquired
- Proposed
- Future Neighbourhood
- Field Agreement

**Appendix B2**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616000
617000
618000
5132000
5131000
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1:8,750
Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)
Metres
0 62.5 125 250 375 500
0 250 500 1,000 1,500
Feet
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Published Monday, January 23, 2012
File: AppendixB3_Pinewood_11x17_2012_M
Future Park Requirements
Future District Park
Future City Wide Park
Future Linear Park Connection
Future Neighbourhood Park (2 ha)
Future Tot-Lot / Parkette
New Parkette Opportunity
5% Parkland Holdings
Acquired
Proposed
Future Neighbourhood
Field Agreement
Appendix B3 - Pinewood Park Plan
Park Classification
City Wide
District
Neighbourhood
Parkette
School Park Property
Cemetery
Trail Classification
Existing Snowmobile Trail
Existing Trail and Major Sidewalk
Future Trails
Historical La Vase Portage
Land Use
Open Space
Lake Access
Symbols
Highway
Major Road
Railway
River / Creek
Lake
Intermittent Water
Planning District Boundary
Municipal Boundary
Settlement Area Boundary
Trout Lake Watershed
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Appendix B3
City of North Bay
Commanda Township
Cedar Heights
Pinewood
Old City
CBD
Lake Nipissing
Duchesnay Creek
MAIN ST W
CPR
GORMANVILLE RD
ALGONQUIN AVE
17
11
Pinewood Public School (Vacant)
Kennedy Park
Ecole St. Paul
Kinette Playground
Bourke Playground
St. Alexander Catholic Elementary School
Jane St & Bloem St Parkette
Jacques Cartier Monument
Kitchener Beach
Ecole Secondaire Catholique Algonquin
King George Public School
Algonquin Regiment Memorial Parkette

# Appendix B4 - West Ferris Park Plan

**Park Classification**

- City Wide
- District
- Neighbourhood
- Parkette
- School Park Property
- Cemetery

**Trail Classification**

- Existing Snowmobile Trail
- Existing Trail and Major Sidewalk
- Future Trails
- Historical La Vase Portage

**Land Use**

- Open Space
- Lake Access

**Symbols**

- Highway
- Major Road
- Railway
- River / Creek
- Lake
- Intermittent Water
- Planning District Boundary
- Municipal Boundary
- Settlement Area Boundary
- Trout Lake Watershed

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1:27,500

Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)

Metres: 0 187.5 375 750 1,125 1,500

Statute Miles: 0 0.125 0.25 0.5 0.75 1

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Published January-23-12
File: AppendixB4_WestFerris_11x17_2012_M

## Future Park Requirements

- Future District Park
- Future City Wide Park
- Future Linear Park Connection
- Future Neighbourhood Park
- Future Tot-Lot / Parkette
- New Parkette Opportunity

**5% Parkland Holdings**

- Acquired
- Proposed
- 3 Future Neighbourhood
- # Field Agreement

Old City
CBD
West Ferris
Rural
Lake Nipissing
Trout Lake
Lee Park
Amelia Park/Beach
Sam Jacks Recreation Complex
Van Horne Park
St. Francis Separate School
Ecole St. Raymond
Tweedsmuir Public School
Superior Crescent Park
Coombes Park
Milford Cressent Park
Prince Edward Portage Park
Marshall Avenue Park
Our Lady of Fatima Catholic School
Silver Birches Public School
Marshall Park Public School
Parks Creek Park
West Ferris Secondary School
West Ferris Lions Park
Silver Beach
Bunting Dr North
Mariah St East
Sunset Park
Ecole Publique Heritage (Vacant)
Premier Road Floral Island
Kerr Park
Steve Omischl Sports Plex
Nipissing Junction Union Cemetery
Champlain Park
Delaney Lake
Depeuriers Lake
McLean Lake
Twin Lakes
Jennings Lake
Passmore Lake
Parks Creek
Cook Creek
Jessons Creek
Chippewa Creek
SEYMOUR ST
FISHER ST
MAIN ST E
MAIN ST
LAKESHORE DR
PRIVATE
CNR
CPR
East Ferris Township
West Ferris Township
City Of North Bay
Municipality of Callander

**Appendix B4**

# Appendix B5 - Cedar Heights Park Plan

**Park Classification**

- City Wide
- District
- Neighbourhood
- Parkette
- School Park Property
- Cemetery

**Trail Classification**

- Existing Snowmobile Trail
- Existing Trail and Major Sidewalk
- Future Trails
- Historical La Vase Portage

**Land Use**

- Open Space
- Lake Access

**Symbols**

- Highway
- Major Road
- Railway
- River / Creek
- Lake
- Intermittent Water
- Planning District Boundary
- Municipal Boundary
- Settlement Area Boundary
- Trout Lake Watershed

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N

1:18,000

Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)

Metres
0 125 250 500 750 1,000

0 0.1 0.2 0.4 0.6
Statute Miles

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Published Monday, January 23, 2012
File: AppendixB5_CedarHeights_11x17_2012_M

## Future Park Requirements

- Future District Park (5.5 ha)
- Future City Wide Park
- Future Linear Park Connection
- Future Neighbourhood Park (13 ha)
- Future Tot-Lot / Parkette
- New Parkette Opportunity

**5% Parkland Holdings**

- Acquired
- Proposed
- Future Neighbourhood
- Field Agreement

615000 617500 5137500 5135000 5132500

Airport Heights

Cedar Heights

City of North Bay
Commanda Township

Nipissing University/Canadore College

Escarpment West Property

Escarpment East 2

Escarpment East

JW Trusler Public School

Belleview Park

AIRPORT RD

Laurentian

Sacred Heart School

Duchesnay Creek

Pinewood

Old City

Lake Nipissing

MAIN ST W

GORMANVILLE RD

ALGONQUIN AVE / HIGHWAY 11 N

ALGONQUIN AVE

**Appendix B5**

# Appendix B6 - Airport Heights Park Plan

**Park Classification**
- City Wide
- District
- Neighbourhood
- Parkette
- School Park Property
- Cemetery

**Trail Classification**
- Existing Snowmobile Trail
- Existing Trail and Major Sidewalk
- Future Trails
- Historical La Vase Portage

**Land Use**
- Open Space
- Lake Access

**Symbols**
- Highway
- Major Road
- Railway
- River / Creek
- Lake
- Intermittent Water
- Planning District Boundary
- Municipal Boundary
- Settlement Area Boundary
- Trout Lake Watershed

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N

1:20,500

Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)

Metres
0 125 250 500 750 1,000

0 0.1 0.2 0.4 0.6
Statute Miles

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Published Monday, January 23, 2012
File: AppendixB6_AirportHeights_11x17_2012_M

620000 622500 5137500 5135000 5132500

Rural

FOUR MILE LAKE RD

CARMICHAEL DR

Airport Heights

North Bay
Jack Garland Airport

Aerospace
Defense Park

Carmichael
Dr 2
Carmichael Dr
& Tower Dr

Carmichael Dr

Tower Dr

AIRPORT RD

Stone Manor East

Stone Manor West

Kenwood Hills
Playground

Kenwood
Hills

Airport
Lookout

Greenhill
Park

Laurentian Heights
North East

Laurentian
Heights East

Fricker
Wallace Park

Vincent Massey
Public School

Cedar
Heights

Laurentian

Circle
Lake

Trout
Lake

WICKSTEAD AVE

WALLACE RD

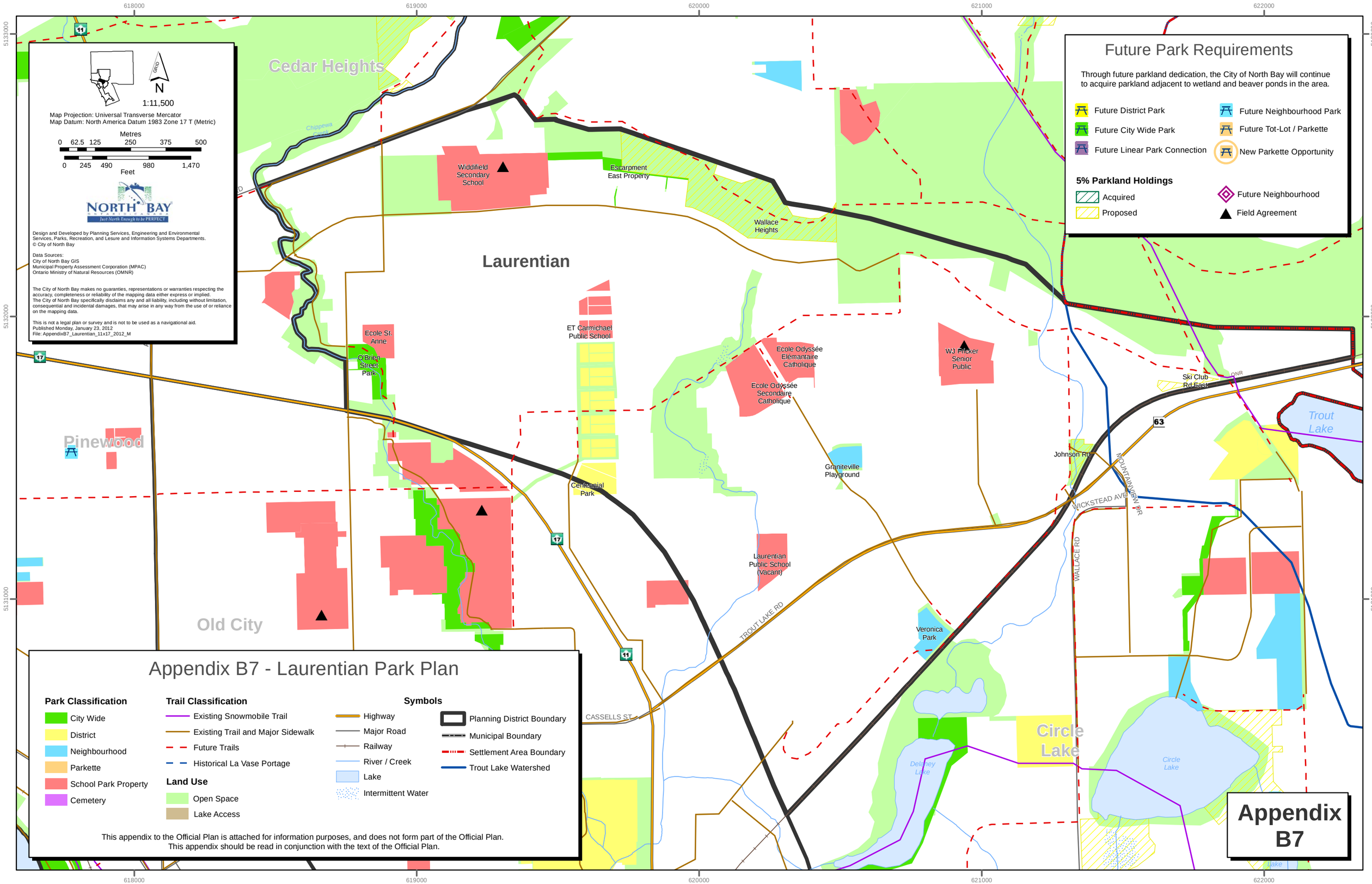
63

## Future Park Requirements

- Future District Park (5 ha)
- Future City Wide Park
- Future Linear Park Connection
- Future Neighbourhood Park (4 ha)
- Future Tot-Lot / Parkette
- New Parkette Opportunity

**5% Parkland Holdings**
- Acquired
- Proposed
- Future Neighbourhood
- Field Agreement

# Appendix B6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619000
620000
621000
622000
5133000
5132000
5131000
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GRID
1:11,500
Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)
Metres
0 62.5 125 250 375 500
0 245 490 980 1,470
Feet
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Published Monday, January 23, 2012
File: AppendixB7_Laurentian_11x17_2012_M
Future Park Requirements
Through future parkland dedication, the City of North Bay will continue to acquire parkland adjacent to wetland and beaver ponds in the area.
Future District Park
Future City Wide Park
Future Linear Park Connection
Future Neighbourhood Park
Future Tot-Lot / Parkette
New Parkette Opportunity
5% Parkland Holdings
Acquired
Proposed
Future Neighbourhood
Field Agreement
Cedar Heights
Chippewa Creek
Widdifield Secondary School
Escarpment East Property
Wallace Heights
Laurentian
ET Carmichael Public School
Ecole St. Anne
O'Brien Street Park
Ecole Odyssée Elémantaire Catholique
Ecole Odyssée Secondaire Catholique
WJ Fricker Senior Public
Ski Club Rd East
ONR
Trout Lake
63
Pinewood
Graniteville Playground
Johnson Rd
MOUNTAINVIEW DR
WICKSTEAD AVE
Centennial Park
Laurentian Public School (Vacant)
WALLACE RD
TROUT LAKE RD
Veronica Park
Old City
CASSELLS ST
Circle Lake
Delaney Lake
Appendix B7 - Laurentian Park Plan
Park Classification
City Wide
District
Neighbourhood
Parkette
School Park Property
Cemetery
Trail Classification
Existing Snowmobile Trail
Existing Trail and Major Sidewalk
Future Trails
Historical La Vase Portage
Land Use
Open Space
Lake Access
Symbols
Highway
Major Road
Railway
River / Creek
Lake
Intermittent Water
Planning District Boundary
Municipal Boundary
Settlement Area Boundary
Trout Lake Watershed
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Appendix B7

# Appendix B8 - Circle Lake Park Plan

**Park Classification**
- City Wide
- District
- Neighbourhood
- Parkette
- School Park Property
- Cemetery

**Trail Classification**
- Existing Snowmobile Trail
- Existing Trail and Major Sidewalk
- Future Trails
- Historical La Vase Portage

**Land Use**
- Open Space
- Lake Access

**Symbols**
- Highway
- Major Road
- Railway
- River / Creek
- Lake
- Intermittent Water
- Planning District Boundary
- Municipal Boundary
- Settlement Area Boundary
- Trout Lake Watershed

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N

1:10,250

Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)

Metres
0 62.5 125 250 375 500

0 250 500 1,000 1,500
Feet

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Published Monday, January 23, 2012
File: AppendixB8_CircleLake_11x17_2012_M

621000 622000 5132000 5131000 5130000 5129000

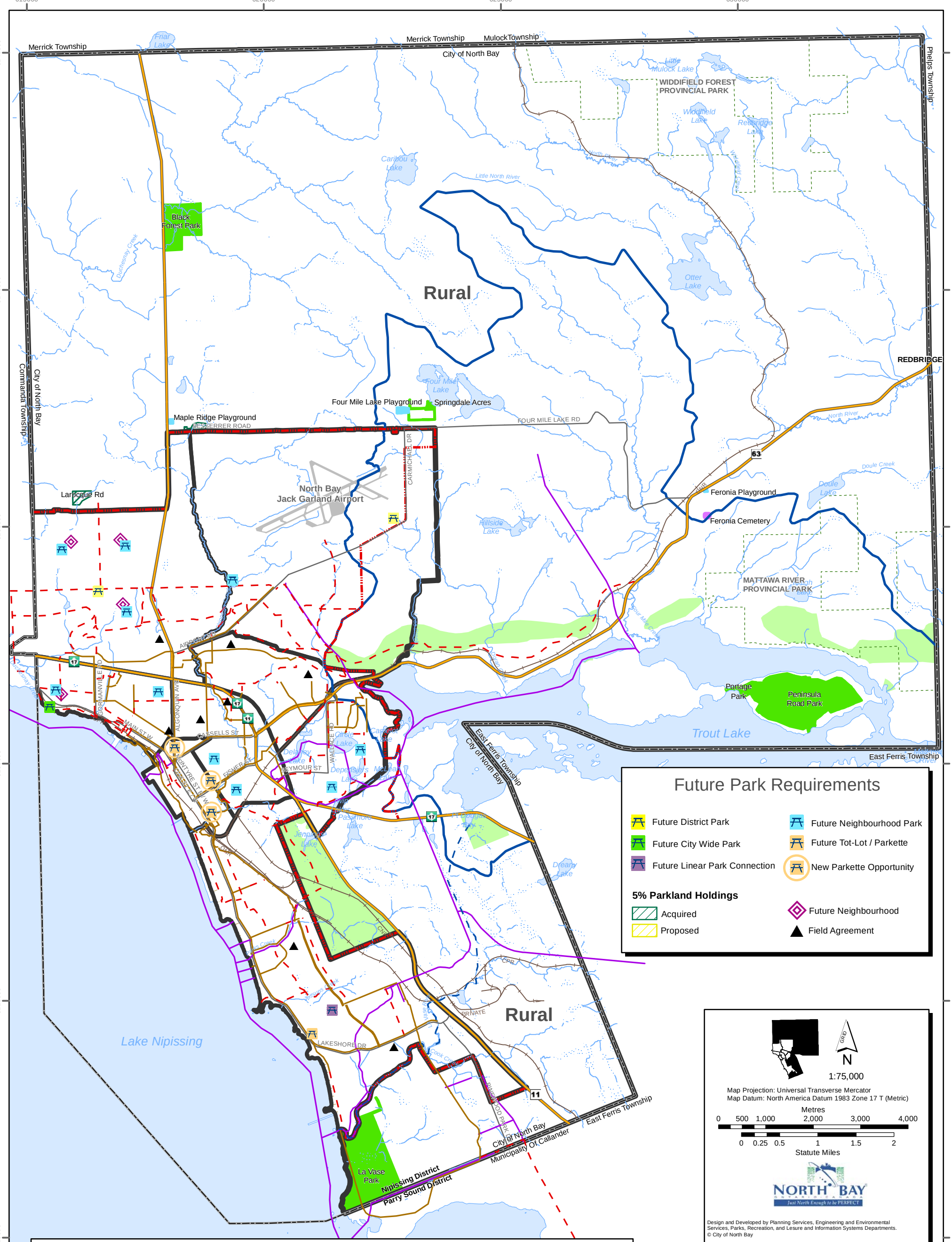
Airport Heights
Laurentian
Rural
Old City
West Ferris
Circle Lake
Trout Lake
Armstrong Park (Beach Side)
Armstrong Park (West Side)
Pumphouse Playground
John XXIII Separate School
EW Norman Public School
Lang Park
Birchaven Cove
Sage Road Park
Circle Lake Playground
Camelot Lake
Delaney Lake Walkway
Optimist Park
Circle Lake East
Circle Lake
Camelot Lake Park
Circle Lake Southwest
Depensers Lake Northwest
Delaney Lake
Depensiers Lake
McLean Lake
McLean Lake Southwest
Twin Lakes
Wallace Rd & Twin Lakes
Jennings Lake
Passmore Lake
TROUT LAKE RD
MOUNTAINVIEW DR
WICKSTEAD AVE
WALLACE RD
SEYMOUR ST
63
17
11

## Future Park Requirements

- Future District Park
- Future City Wide Park
- Future Linear Park Connection
- Future Neighbourhood Park
- Future Tot-Lot / Parkette
- New Parkette Opportunity

**5% Parkland Holdings**
- Acquired
- Proposed
- Future Neighbourhood
- Field Agreement

**Appendix B8**




# Appendix B9 - Rural Park Plan

**Park Classification**

- City Wide
- District
- Neighbourhood
- Parkette
- School Park Property
- Cemetery

**Trail Classification**

- Existing Snowmobile Trail
- Existing Trail and Major Sidewalk
- Future Trails
- Historical La Vase Portage

**Land Use**

- Rural Open Space
- Lake Access

**Symbols**

- Highway
- Major Road
- Railway
- River / Creek
- Lake
- Intermittent Water
- Planning District Boundary
- Municipal Boundary
- Settlement Area Boundary
- Trout Lake Watershed

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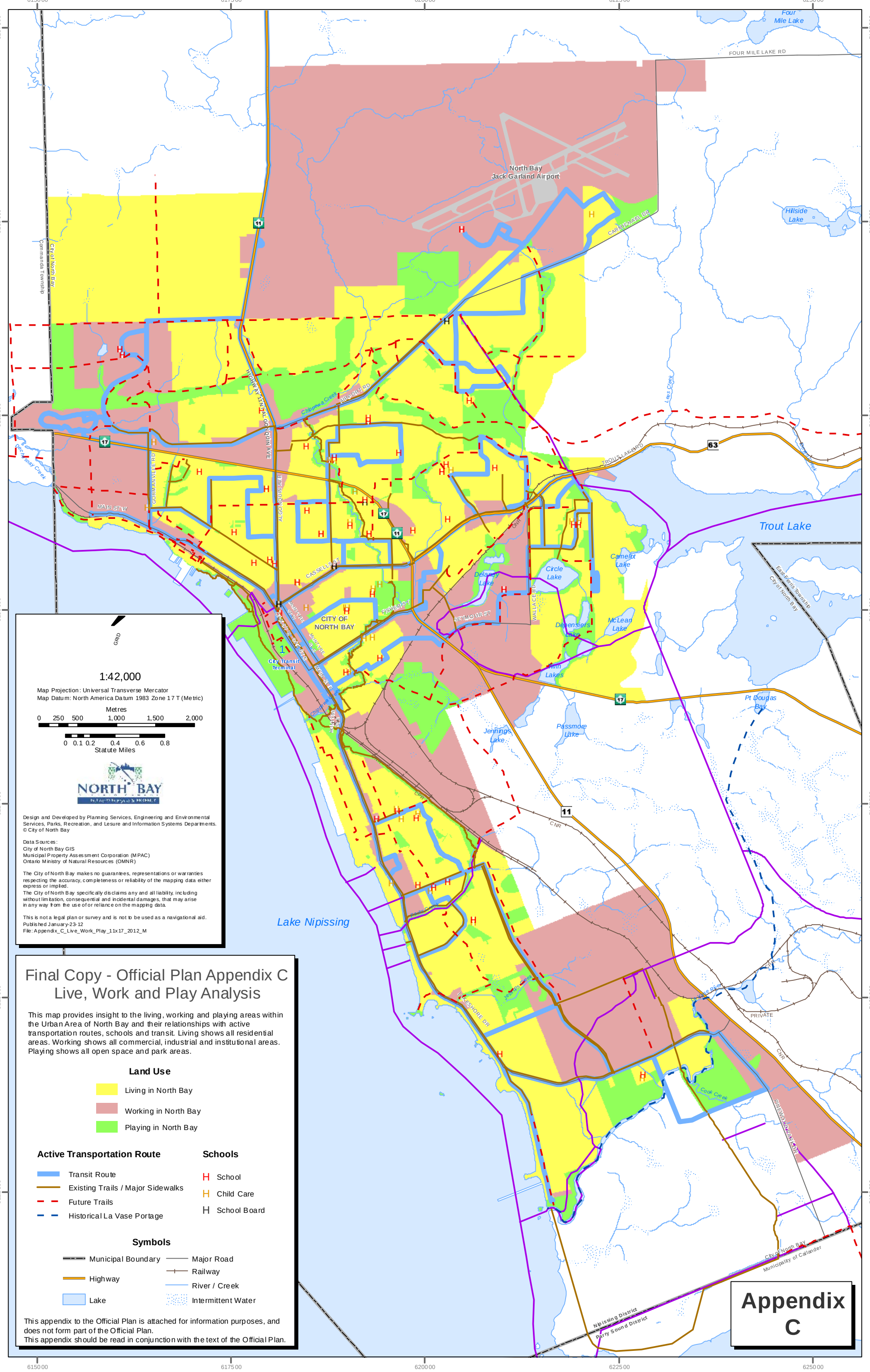
**Appendix B9**


Four Mile Lake
FOUR MILE LAKE RD
North Bay Jack Garland Airport
Hillside Lake
CARMICHAEL DR
City of North Bay
Commanda Township
HIGHWAY 11 N
ALGONQUIN AVE
Chippewa Creek
AIRPORT RD
Lees Creek
Dechenay Creek
GORMANVILLE RD
MAIN ST W
TROUT LAKE RD
Trout Lake
CASSELLS ST
CITY OF NORTH BAY
FISHER ST
SEYMOUR ST
WALLACE RD
Delaney Lake
Circle Lake
Camelot Lake
Dennesiers Lake
McLean Lake
Twin Lakes
City Transit Terminal
MAIN ST E
Pt Douglas Bay
Jennings Lake
Passmore Lake
Lake Nipissing
LAKESHORE DR
Cook Creek
PRIVATE
RIVERVIEW DR
City of North Bay
Municipality of Calander
Nipissing District
Parry Sound District
GRID
1:42,000
Map Projection: Universal Transverse Mercator
Map Datum: North America Datum 1983 Zone 17 T (Metric)
Metres
0 250 500 1,000 1,500 2,000
0 0.1 0.2 0.4 0.6 0.8
Statute Miles
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Published January-23-12
File: Appendix_C_Live_Work_Play_11x17_2012_M
Final Copy - Official Plan Appendix C
Live, Work and Play Analysis
This map provides insight to the living, working and playing areas within the Urban Area of North Bay and their relationships with active transportation routes, schools and transit. Living shows all residential areas. Working shows all commercial, industrial and institutional areas. Playing shows all open space and park areas.
Land Use
Living in North Bay
Working in North Bay
Playing in North Bay
Active Transportation Route
Transit Route
Existing Trails / Major Sidewalks
Future Trails
Historical La Vase Portage
Schools
School
Child Care
School Board
Symbols
Municipal Boundary
Highway
Lake
Major Road
Railway
River / Creek
Intermittent Water
This appendix to the Official Plan is attached for information purposes, and does not form part of the Official Plan.
This appendix should be read in conjunction with the text of the Official Plan.
Appendix C

The following are the Ministry of Transportations policy guidance regarding provincial highways in the City of North Bay:

- Approval of the Ministry of Transportation will be required for any development within the permit control jurisdiction of Highway 11, Highway 17 or the future North Bay Expressway as a Controlled Access Highway, or of Highway 63 as a Kings Highway, as per the Public Transportation and Highway Improvement Act. Prospective developers should consult with the Ministry of Transportation early in the planning stage to ascertain permit requirements and areas of interest to MTO

- Permits from the Ministry of Transportation are required for any new buildings, structures, site alterations or entrances within 45 metres (150 feet) of any highway property line and within a radius of 395 metres (1300 feet) of the centre point of the intersection of a road and Highways 11, 17 and the future North Bay Expressway, or within 180 metres (600 feet) of the centre point of the intersection of a road and Highway 63. Permits from the Ministry of Transportation may also be required for certain uses located within 800 metres (1/2 mile) of any limit of any provincial highway that causes person to congregate in large numbers

- Areas of interest that may need to be addressed to the Ministry of Transportation's satisfaction before permits are issues include, but are not necessarily limited to, geometric and safety requirements, traffic impacts, grading and stormwater management, site layout, site servicing, exterior illumination, and signage.

- No new entrances will be permitted to Highway 17 from it's junction with Highway 11 westerly to the west limits of the City. No new entrances will be permitted to Highway 17 from its junction with Highway 11 easterly to the east limits of the City except at the discretion of the Ministry of Transportation, and existing entrances may not be upgraded to serve commercial uses unless the property was zoned for that use prior to designation of the Highway as a Controlled Access Highway on October 13, 1970.

- No new entrances will be permitted to Highway 11 from the south limit of the City to the intersection of Highway 11 and Cedar Heights Road. No new entrances will be permitted to Highway 11 from its intersection with Cedar Heights Road northerly to the limits of the City except at the discretion of the Ministry and existing entrances may not be upgraded to serve commercial uses unless the property was zoned for that use prior to designation of the Highway as a Controlled Access Highway on July 22, 1981.

- All access to the future North Bay Expressway will be via grade separated interchanges

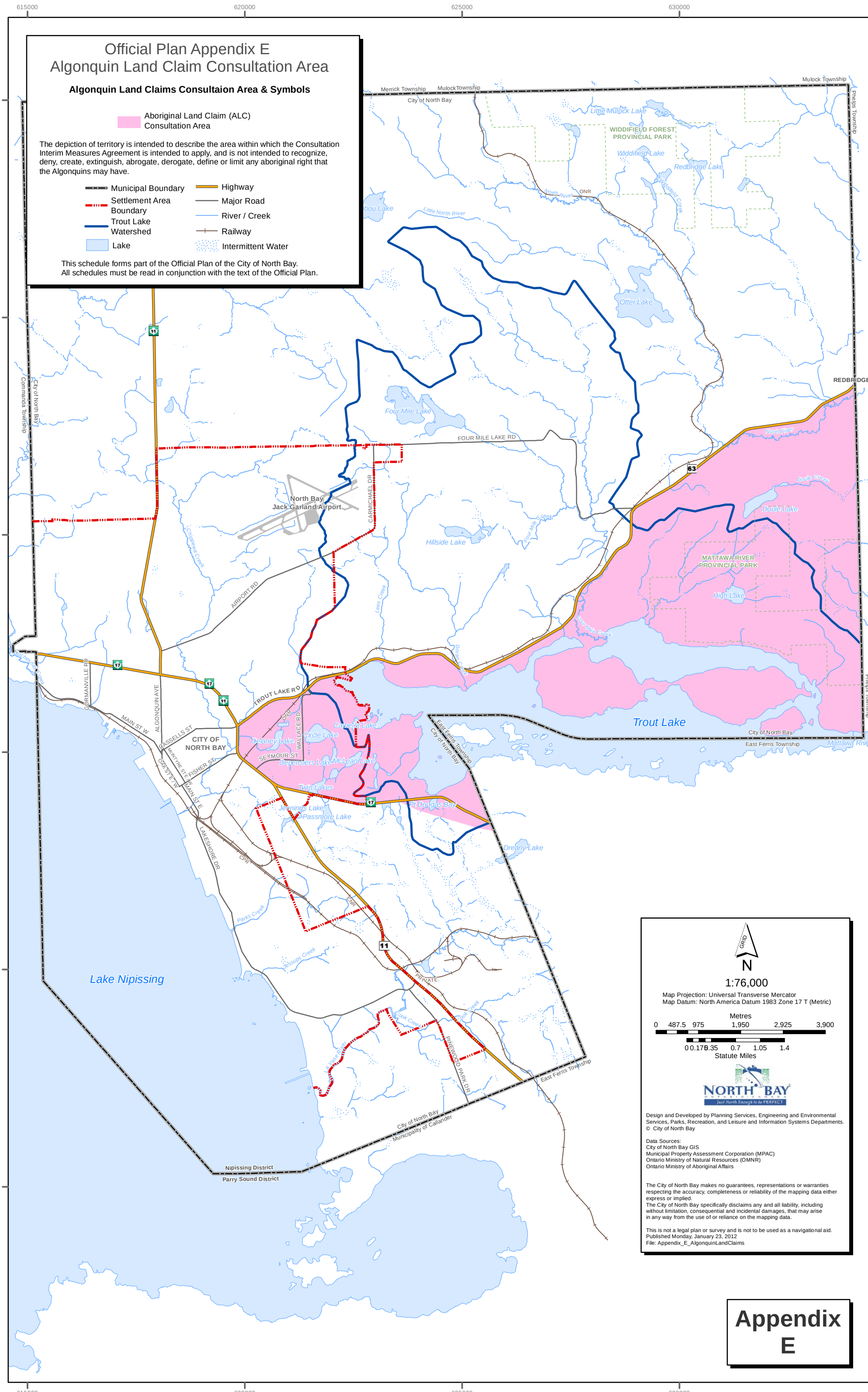
- New entrances and upgrading of the use or design of existing entrances to Highway 63 will be permitted where geometric, safety and other access policies are acceptable at the discretion of the Ministry of Transportation.

# Official Plan Appendix E
# Algonquin Land Claim Consultation Area

**Algonquin Land Claims Consultaion Area & Symbols**

Aboriginal Land Claim (ALC) Consultation Area

The depiction of territory is intended to describe the area within which the Consultation Interim Measures Agreement is intended to apply, and is not intended to recognize, deny, create, extinguish, abrogate, derogate, define or limit any aboriginal right that the Algonquins may have.

- Municipal Boundary
- Settlement Area Boundary
- Trout Lake Watershed
- Lake
- Highway
- Major Road
- River / Creek
- Railway
- Intermittent Water

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All schedules must be read in conjunction with the text of the Official Plan.